

HOUSE OF REPRESENTATIVES—Thursday, September 12, 1991

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

On this day our prayers, O God, are with those people who have great responsibility for the ordering of the nations. As leaders reflect on their actions and the directions they should take, aware of the pressures from every side, may they see more clearly the demands of justice, the concern for fairness, and the joyous opportunities of a world at peace. May Your gifts of wisdom and judgment promote liberty for the nations and freedom for every individual. Bless us, gracious God, this day and every day. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. RIGGS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken and the Speaker announced that the ayes appeared to have it.

Mr. RIGGS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 277, nays 94, answered "present" 1, not voting 60, as follows:

[Roll No. 254]

YEAS—277

Abercrombie	Bevill	Clement
Ackerman	Billbray	Clinger
Alexander	Bonior	Coleman (TX)
Anderson	Borski	Collins (IL)
Andrews (ME)	Boucher	Combest
Andrews (TX)	Boxer	Condit
Annuzio	Brooks	Costello
Anthony	Broomfield	Cox (IL)
Applegate	Browder	Coyne
Archer	Brown	Cramer
Aspin	Bruce	Darden
Atkins	Bryant	Davis
AuCoin	Bustamante	de la Garza
Bacchus	Byron	DeLauro
Barnard	Callahan	Dellums
Barton	Campbell (CO)	Derrick
Bateman	Cardin	Dingell
Bellenson	Carper	Donnelly
Bennett	Carr	Dooley

Dorgan (ND)	LaRocco	Rinaldo	Franks (CT)	Livingston	Schaefer
Downey	Levin (MI)	Ritter	Gallo	Machtley	Schroeder
Duncan	Lewis (GA)	Roemer	Gekas	McCandless	Sensenbrenner
Durbin	Lipinski	Rose	Gilchrest	McCollum	Shays
Dwyer	Lloyd	Rostenkowski	Gingrich	Miller (OH)	Sikorski
Early	Long	Roth	Goodling	Miller (WA)	Smith (OR)
Eckart	Lowey (NY)	Rowland	Goss	Molinari	Smith (TX)
Edwards (CA)	Lukens	Roybal	Grandy	Moorhead	Solomon
Edwards (OK)	Manton	Russo	Hancock	Nussle	Stearns
Edwards (TX)	Martin	Sabo	Hansen	Paxon	Stump
English	Martinez	Sanders	Hastert	Pursell	Sundquist
Erdreich	Matsui	Sangmeister	Hefley	Ramstad	Taylor (NC)
Espy	Mavroules	Sarpalius	Henry	Regula	Thomas (WY)
Evans	Mazzoli	Sawyer	Hobson	Rhodes	Upton
Fascell	McCloskey	Scheuer	Inhofe	Ridge	Vucanovich
Feighan	McCrery	Schiff	Jacobs	Riggs	Walker
Fish	McCurdy	Schulze	James	Roberts	Weldon
Flake	McDade	Schumer	Kolbe	Rogers	Wolf
Foglietta	McDermott	Sharp	Kyl	Rohrabacher	Young (AK)
Ford (TN)	McEwen	Shaw	Lagomarsino	Ros-Lehtinen	Zeliff
Frank (MA)	McGrath	Shuster	Leach	Roukema	Zimmer
Frost	McHugh	Sisisky	Lewis (FL)	Santorum	
Gaydos	McMillan (NC)	Skaggs	Lightfoot	Saxton	
Gedden	McMillen (MD)	Skeen			
Gephardt	McNulty	Skelton			
Geren	Meyers	Slattery			
Gibbons	Mfume	Slaughter (NY)			
Gilman	Michel	Slaughter (VA)			
Glickman	Mineta	Smith (FL)			
Gonzalez	Mink	Smith (IA)			
Gordon	Moakley	Smith (NJ)			
Gradison	Mollohan	Snowe			
Green	Montgomery	Solarz			
Guarini	Moody	Spence			
Gunderson	Morella	Spratt			
Hall (OH)	Morrison	Staggers			
Hall (TX)	Mrazek	Stallings			
Hamilton	Murtha	Stenholm			
Hammerschmidt	Myers	Studds			
Harris	Natcher	Swett			
Hayes (IL)	Neal (MA)	Swift			
Hayes (LA)	Neal (NC)	Synar			
Hefner	Nichols	Tallon			
Hertel	Oaker	Tanner			
Hoagland	Oberstar	Tauzin			
Hochbrueckner	Obey	Taylor (MS)			
Horn	Olin	Thomas (GA)			
Horton	Oliver	Thornton			
Hoyer	Orton	Torres			
Hubbard	Owens (UT)	Torricelli			
Huckaby	Oxley	Traficant			
Hughes	Packard	Traxler			
Hutto	Pallone	Unsold			
Jefferson	Panetta	Valentine			
Jenkins	Parker	Vander Jagt			
Johnson (CT)	Patterson	Vento			
Johnson (SD)	Payne (VA)	Visclosky			
Johnson (TX)	Pease	Volkmeyer			
Johnston	Pelosi	Walsh			
Jones (GA)	Penny	Waxman			
Jontz	Perkins	Weber			
Kanjorski	Peterson (FL)	Weiss			
Kaptur	Peterson (MN)	Whitten			
Kasich	Petri	Williams			
Kennedy	Pickett	Wilson			
Kennelly	Porter	Wise			
Kildee	Poshard	Wolpe			
Kleczka	Price	Wyden			
Klug	Quillen	Wyllie			
Kopetski	Rahall	Yates			
Kostmayer	Rangel	Young (FL)			
LaFalce	Ravenel				
Lancaster	Reed				
Lantos	Richardson				

NAYS—94

Allard	Boehlert	Coleman (MO)
Armey	Boehner	Coughlin
Baker	Bunning	Cox (CA)
Ballenger	Burton	DeLay
Barrett	Camp	Dickinson
Bentley	Campbell (CA)	Dorman (CA)
Bereuter	Chandler	Ewing
Bilirakis	Clay	Fawell
Bliley	Coble	Fields

ANSWERED "PRESENT"—1

Payne (NJ)

NOT VOTING—60

Andrews (NJ)	Galleghy	Marlenee
Berman	Gillmor	Miller (CA)
Brewster	Hatcher	Moran
Chapman	Herger	Murphy
Collins (MI)	Holloway	Nagle
Conyers	Hopkins	Nowak
Cooper	Houghton	Ortiz
Crane	Hunter	Owens (NY)
Cunningham	Hyde	Pickle
Dannemeyer	Ireland	Ray
DeFazio	Jones (NC)	Roe
Dicks	Kolter	Savage
Dixon	Laughlin	Serrano
Doolittle	Lehman (CA)	Stark
Dreier	Lehman (FL)	Stokes
Dymally	Lent	Thomas (CA)
Emerson	Levine (CA)	Towns
Engel	Lewis (CA)	Washington
Fazio	Lowery (CA)	Waters
Ford (MI)	Markey	Yatron

□ 1226

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. CUNNINGHAM. Mr. Speaker, during roll call No. 254 on the Riggs motion on approval of the Journal, I was unavoidably detained at a meeting at the Pentagon. Had I been present, I would have voted "Nay."

PLEDGE OF ALLEGIANCE

The SPEAKER. The Chair will ask the gentleman from Pennsylvania [Mr. WELDON] if he would come forward and lead the membership in the Pledge of Allegiance.

Mr. WELDON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 272. An act to provide for a coordinated Federal program to ensure continued United States leadership in high-performance computing, and for other purposes.

IT IS TIME TO HELP OUR OWN CITIZENS

(Mr. WISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WISE. Mr. Speaker, they are back; they are back, Members of Congress who spent a month in their districts. They are back, the President and members of his staff who spent a month in Maine. They are back, Mr. Speaker.

But this group did not go anywhere. They are the unemployed, working families who have lost their jobs and are trying to work again.

They are back, those of us who are determined to press through to get unemployment, extended unemployment benefits, for these people.

Mr. Speaker, the President denied unemployment benefits, extended unemployment benefits, when he refused to consider releasing these benefits by declaring a budget emergency, 13 more weeks of benefits to working families to help them pay the mortgage, to pay college tuition, to make the car payment.

This fall the Congress is going to be asked to help savings-and-loan depositors, to help banks, to help the Soviet Union. How about our citizens, those people who have been paying the taxes for years, the working American taxpayer who needs a little temporary help themselves? They are back, Mr. Speaker, and this time they are asking the President, "Let us do it right."

□ 1230

PASSIVE LOSS LEGISLATION

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, Congress has the opportunity to pass budget-neutral legislation to help resolve the S&L crisis and help turn around the recession. H.R. 1414 has 300 cosponsors, including a majority of the committee of jurisdiction, but we may not get a chance to vote on the bill.

H.R. 1414 changes the passive loss rules which penalize owners of rental property and unnecessarily drives many owners into foreclosure. The bill would allow rental property owners to continue operating their developments,

thereby reducing loan foreclosures and limiting failures among financial institutions. These failures create a burden for all taxpayers who have sunk billions of dollars into the RTC and perhaps face a similar prospect with the FDIC.

Mr. Speaker, H.R. 1414 is self-financing. Revenues foregone through the passive loss changes will be recouped from the same industry by lengthening depreciation on commercial property. Nevertheless, we hear that there will not be a vote on H.R. 1414, and there is no other vehicle.

Mr. Speaker, if a bill has 300 cosponsors, including a majority of the committee of jurisdiction, should the bill not come to the floor for a vote? I urge the Speaker to give us a vote on H.R. 1414 this year.

UNEMPLOYMENT BENEFITS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I would like to read part of a letter to the editor from the New Haven Register of September 5. Debra Wendland of West Haven, writes that the President and his men should, and I quote:

Go down to New Haven's union locals and shake hands with the men down there and ask them how long they have been out of work. I am sure the answer is not one or two months, more like 9 or 12 months with their unemployment running out long ago. Or go down to the local unemployment office and ask the 50-year-old man where is he going to get a job when his unemployment runs out?

Mr. Speaker, what does Debra Wendland know that all the President's men do not?

My people back home want their leaders to pay attention when they are hurting. They have watched as the President has offered emergency aid to the people of Bangladesh and Kuwait, and to the Kurds and the Soviets. All this while our own people cry out for disaster relief of their own.

In good times, they have paid their hard-earned taxes into an unemployment system that is now broke. For millions of Americans these are tough times, and they are calling out for the help that they have earned.

That 50-year-old man—and the millions like him—can no longer wait.

Mr. Speaker, they need our help now.

IN OPPOSITION TO THE GAS TAX INCREASE IN H.R. 2950

(Mr. BARRETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARRETT. Mr. Speaker, I rise in opposition to the 5-cent Federal gas tax increase in H.R. 2950.

The committee's report on the bill claims that enacting a 5-cent gas tax

will "help make possible the charting of an audacious and bold new direction on the Nation's transportation policies." However, this new direction may be one filled with potholes, if we continue down the road of increasing gas taxes.

Studies have shown that for every penny increase in the gas tax it reduces GNP by \$1 billion. Congress' Budget Office estimates that families earning less than \$20,000 a year will spend at least eight times as high a percentage of their income for gasoline as do families that earn \$50,000 or more.

And rural families already spend twice as much for motor fuel taxes as do urban families.

Congress last year passed a 5-cent gas tax increase along to the American family, and less than a month later, our economy entered a recession. Has not Congress learned its lesson?

I urge my colleagues to join me in opposing the 5-cent increase in gasoline taxes.

THE NEED FOR UNEMPLOYMENT LEGISLATION

(Mr. BUSTAMANTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUSTAMANTE. Mr. Speaker, last week, the Labor Department announced that the unemployment rate for August remained at 6.8 percent. In human terms, that means 8½ million Americans are out of work. In my State of Texas, 596,000 people are jobless. Before the August recess, Congress gave the President the opportunity to act on this problem when we passed emergency unemployment insurance legislation, H.R. 3201. But President Bush refused to invoke its provisions.

More than a million Americans have exhausted their unemployment benefits. Hundreds of thousands more are dropped from the rolls each month. They are no longer afforded that basic measure of security that the Unemployment Insurance System was intended to provide. They have slipped through the holes of the Social Security safety net.

Soon we will be voting on the Unemployment Insurance Reform Act, H.R. 3040. This bill restores extended benefits to the long-term unemployed, and it equalizes benefits for ex-military personnel to those for civilian personnel.

When we established the Unemployment Insurance System in 1935, this country committed itself to providing some minimum level of income security for the jobless. Over the last 10 years, Americans' right to security has been eroded. Only three States qualify for extended unemployment insurance under the present system.

H.R. 3040 will improve that record. Joblessness is a personal crisis that

can turn into tragedy. Let's not turn that corner. Please support the Unemployment Insurance Reform Act when it comes to the floor for consideration.

GATT DOLPHIN RULING RAISES SERIOUS QUESTIONS

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, an international dispute panel has just ruled that certain U.S. import policies designed to help stop the unnecessary slaughter of marine mammals are in violation of our trade obligations. This ruling raises serious questions for me and for many of my constituents about whether proposed trade agreements will eventually lead to a degradation of our own environmental, health and safety standards. This ruling—which was sought by Mexico as a result of new United States import restrictions on tuna—could be seen as a test case of our ability to promote strong environmental policies around the world as part of international trade.

U.S. tuna companies have already proven that it is possible to use dolphin safe methods of catching tuna and still stay in business. We've seen that where there is the will, there is a way to reduce the needless killing. Unfortunately, it seems Mexico has still not fully demonstrated the will. Mr. Speaker, my constituents in southwest Florida are already quite skeptical about how a proposed trade agreement with Mexico could affect us; this recent ruling only heightens their concern. I have already urged the administration to stand by the United States' position on this issue, signaling to Mexico and all the nations involved with GATT that we will not sell out our principles or our Nation's best interests in our pursuit of free trade.

HOUSING AND REAL ESTATE INDUSTRIES CRITICAL IN RECESSSION TIMES

(Mr. BILBRAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILBRAY. Mr. Speaker, Congress returns to work this week with a long list of things to do. Topping that list, in my view, should be legislation to shift our sagging economy into high gear.

While many sectors of our economy clearly need our attention, one sector which is so critical to economic recovery, but which we seem to be ignoring is the housing and real estate industries. These industries typically lead us out of recessions, yet they are too weak to help much and now their troubles are spreading to other parts of the economy as well.

To those who would dismiss the problem as simply the fault of the industry, I would say take a long look at yourselves. In 1986, as part of the tax reform, Congress passed new passive loss rules intended to put an end to property tax shelters. Unfortunately, as we have learned the hard way, those rules also killed credible real estate investment and brought the market to its knees. Now many investors are unable to carry troubled properties and many lenders are going under because of large inventories of real estate they have taken back from borrowers. And in the end the taxpayer winds up paying the bill.

Taxpayers in my district already get enough bills, and I think it's time we took action to remedy this problem. My colleagues, MIKE ANDREWS and BILL THOMAS, have proposed a responsible solution in the form of H.R. 1414, which I strongly support. Passage of this bill would put real estate investment on an equal footing with other business investment and help to stabilize an important part of our economic pie.

THE VISION OF THE PRESIDENT'S EDUCATION PLAN

(Mr. BOEHNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHNER. Mr. Speaker, I take the floor today to comment on one aspect of the President's domestic agenda, an agenda for America that is being held hostage by the chronic complainers, buck passers, and alibi artists of this body. One only needs to look at America 2000 to witness an exciting and innovative new program which is the beginning of the renaissance of education in America.

President Bush, in America 2000, reaffirms an idea which is becoming lost in America—the idea that communities and individuals can solve problems better than the Federal Government and Washington bureaucrats. America 2000 will place the responsibility for and direction of reform in the hands of community leaders, parents, and teachers—those who know best what works in the classroom and are most affected by the deficiencies in our educational system.

The debate over education is more than one between Republicans and Democrats. It is about the future and who should lead us on this journey. We have the vision of President Bush's education plan or we have Senator TED KENNEDY's education plan, which, despite the Democrats' rhetoric, is the only plan they have put forth. Do we want the plan which calls for innovation and change from the people, or do we want the plan that calls for more government and more bureaucrats? As a parent, the choice is obvious: We need the President's plan.

□ 1240

PRESIDENT BUSH'S SCORECARD ON WOMEN'S LEGISLATIVE AGENDA

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, to my side is a chart outlining all the women's legislation that President Bush has either promised to veto or vetoed. These 10 bills were drawn primarily from the agenda of the bipartisan congressional caucus for women's issues.

I am releasing this Bush veto score card so that women could keep track of the President's action on their issues.

The Bush record on women is worse than the Reagan record. At least Reagan was honest about his indifference toward women. Candidate Bush, however, campaigned for a kinder, gentler America promising family leave and civil rights. George Bush's campaign promises amounted to little more than political vogueing.

This Congress has taken historic strides in treating women as equal citizens in this country. We have fostered a revolution on research on women's health, passed a civil rights act that signals that discrimination against women will not be tolerated, stopped the erosion on women's right to choice, and told employers that they cannot make parents choose between their families and their jobs.

When these bills reach President Bush's desk, he employs an old skull and bones tradition: No women allowed.

I urge women not to let the Thomas Supreme Court nomination fight distract us from President Bush's effort to sabotage women's legislative agenda. The real task at hand is to make sure that we have a veto-proof Congress who will stand up to George Bush's near-derthal policies and will overturn the Bush Supreme Court decisions.

MEDIA COVERAGE OF THE CATHOLIC CHURCH

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, during the August break, sitting there glued to a television, watching the glorious events unfolding in the Soviet Union, witnessing the fall of communism in Moscow, from where all of this evil spread across the world for 74 years, I caught up on some of my reading. I had missed a press conference here in March. I had a good excuse; I was in Croatia and then Albania for the elections there. I missed the press conference on March 26 by a group called the Center for Media and

Public Affairs, releasing this booklet on media coverage of the Catholic Church.

Mr. Speaker, it is a stunning document. I am going to put it in the CONGRESSIONAL RECORD in pieces or chapters over the next few weeks.

It was produced under the codirection of Dr. Robert Lichter and his Ph.D. wife, Linda, and Dr. Daniel Ahamson. It was sponsored by the Knights of Columbus and the Catholic League for Religious and Civil Rights.

This weekend PBS in Los Angeles ran this infamous film created by radical homosexual activists called "Stop the Church." Can you imagine a film called "Stop Judaism"? Or "Stop African-Americans"? Or "Stop the Democrats"? Or better yet, "Stop the Liberals"?

If the media treated one of the world's great religions, Judaism, the way it has been treating the Catholic Church the last 10 years, it would be branded properly as vicious, bigoted, and anti-Semitic. And they would receive similar invection if they treated black Americans the way they have treated the Catholic Church.

Some of us are loyal Catholics, and we are going to fight back. The battle is now joined.

Get this book, "Media Coverage of the Catholic Church." It is a disgrace how the media has collaborated with anti-Catholic bigots to defame the church. Stop the church? I say stop the bigots.

HOW TO MAKE IT TO THE SUPREME COURT

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, everybody is asking: How do you make it to the Supreme Court?

Let us take Judge Souter. He had no, if any, legal opinions; he never looked his confirmers in the eye. And rumors persist that he flies a B-2 bomber. He cannot even be detected by radar.

On the other hand take a look and take Judge Bork, please take Judge Bork. He told it like it was, he bared his soul and more. And guess what? Souter is in, Bork is out.

Let us say one thing: Judge Thomas is an intelligent man. All he has to do is review Souter versus Bork.

I agree with the NAACP, something is wrong when America knows more about Judge Wapner than Supreme Court nominees who will be Supreme Court judges for life.

COMMENDING THE RUSSIAN PEOPLE ON THEIR COURAGEOUS STAND FOR FREEDOM

(Mr. STEARNS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I rise to introduce a concurrent resolution commending the people of the Soviet Union on their courageous stand for freedom and democracy.

Throughout America, we watched intently as history unfolded before our eyes. Fear of a tragic crackdown leading the Soviet Union back into darkness quickly dissolved into the excitement of the dawning of a new era. Americans are a freedom-loving people and our hearts were warmed by the discovery that the instinct for liberty and democracy dwelt deeply in the soul of a nation where it had long been denied.

I believe this resolution will be an important message for the people of the United States of America to send to the people of the former Soviet Union. Freedom and democracy are not limited resources. We are eager to teach and share the practice of freedom, the art of democracy.

We do not know where the future will take the people of this part of our world, but the spirit of the August revolution provides a basis in humanity that has inspired mankind's finest moments.

Please join me in sponsoring this resolution to commend the people of the former Soviet Union on their courageous stand for democracy.

REFORM OF BANKING INDUSTRY MUST INCLUDE PASSIVE LOSS RULES CHANGE

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FEIGHAN. Mr. Speaker, recently, FDIC Chairman William Seidman predicted that over the next 2 years, 400 U.S. banks will fail. Add to that the mounting FDIC losses and the administration's new \$80 billion request for the RTC and it becomes painfully clear that America's financial institutions are in bad shape.

Our colleagues on the committees of jurisdiction have pursued painstaking efforts to reform the banking industry. However, I want to direct their attention to an often overlooked but significant contributing factor to the problems that plague our financial institutions and our economy. I am talking about the passive loss rules that continue to penalize American taxpayers who own investment rental real estate. These passive loss rules, which did not originate in this body, effectively prevent owners of real estate from working out troubled properties. As a result, these properties are frequently repossessed, undermining the soundness of our banking industry.

Mr. Speaker, there is legislation pending in the Ways and Means Committee introduced by our colleagues

MIKE ANDREWS and BILL THOMAS and cosponsored by more than 300 of our colleagues, that goes a long way toward encouraging real estate professionals to work out distressed properties and keep them operating in the private sector and out of the inventories of the RTC and FDIC. This legislation would place real estate people on equal footing with other business professionals without restoring or creating abusive tax shelters.

Frankly, Mr. Speaker, I believe the Andrews-Thomas passive loss legislation is the most constructive tax legislation we could enact this year. And I sincerely hope this House has the opportunity to vote on it in 1991.

THE YUGOSLAVIAN CRISIS

(Mr. BROOMFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, hundreds of people are dying and thousands are losing their homes in the fighting between Croats and Serbs.

America faces a dilemma. Americans want to do something to ease the crisis. But we have a longstanding commitment to international law. It prevents us from taking sides in the internal disputes of other nations.

However, that does not mean we are forced to sit on the sidelines and twiddle our thumbs. We should take a page from the strategy book that George Bush used in the gulf war.

Let us use the United Nations to keep the peace in Yugoslavia. Today I am offering a resolution that will call on the United Nations to dispatch a peacekeeping force to separate the parties and start the process of reconciliation.

In the gulf war, the United Nations demonstrated that it could live up to its original purpose, that it could be an effective force for maintaining the peace.

I urge my colleagues to give the United Nations an opportunity to show what it can do to stop the killing and promote peace on Earth.

HEALTH CARE REFORM: THE NEED IN IDAHO

(Mr. LAROCCO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. LAROCCO. Mr. Speaker, as a member of the rural health care coalition, I went home in August to listen to the people of Idaho, and to examine the State's health care delivery systems. What I heard indicates that the health care crisis in rural America is growing.

At a congressional subcommittee hearing at St. Luke's Regional Medical Center in Boise, I gathered comprehen-

sive testimony from the young and old, business community leaders, insurance providers, health care professionals, and Government. Each witness dealt with the real life, day-to-day difficulties of the current health care situation, and I think it would be useful for Members of the House to consider what they had to say.

Idaho is the most underdoctored State in the Nation, and the situation is not improving.

Hospitals are pinching every penny to keep their doors open in rural communities.

Companies large and small are having trouble finding affordable insurance plans that meet the needs of their work force, and a surprising number of people are unable to find any health insurance at all for themselves and for their families.

But when all was said and done, there was one thing they all agreed on: We cannot maintain the status quo and achieve quality, affordable health care.

I found the testimony of Mr. Jim Thompson, president of the ECCO Co. in Boise, of particular interest.

Mr. Thompson has lived in Idaho for nearly 30 years, and in 1990, he was named the small businessman of the year by the Idaho Chamber of Commerce. He understands the importance of health care options in today's business world, and he has made extensive efforts to provide affordable, quality coverage for his company's team members and for their families. Unfortunately, in spite of his best efforts, he has not been able to obtain coverage that meets the requirements of his small business and his team members. Because his experience includes the full range of currently available options, I believe it would be instructive to consider his insights and remarks in the ongoing debate of health care reform. Mr. Speaker, I will insert Mr. Thompson's subcommittee hearing statement into the RECORD.

My constituents tell me there is a problem. The quality health care currently available in Idaho is in jeopardy. I think it is critical that we listen to the voices of Idaho, and of all rural America, and get on with the task of health care reform.

STATEMENT OF MR. JIM THOMPSON

Good Morning. My name is Jim Thompson. I'm the President of Electronic Controls Company [ECCO]. We're a small manufacturer with a single plant in Boise with 75 Team Members. We manufacture back-up Alarms (reverse-gear warning alarms for vehicles) and do Contract Manufacturing work for Hewlett Packard, Extended Systems, and other electronics companies. We sell our back-up alarm products all over the world against competitors from Japan, Taiwan, and Europe. ECCO has grown from 20 to 75 Team Members during the last 7 years. We are probably more concerned with the well being of our Team Members than most businesses our size. For instance:

We have an employee stock ownership plan (ESOP) that currently owns about 12% of the

company. We've made annual contributions since starting the plan 4 years ago.

We have a 401K plan that is 100% vested in the first year; designed as a "portable pension" plan.

We also have a profit bonus plan that distributes 20% of the company's pre tax profit to all Team Members every month. We also provide child care financial assistance. Other small businesses that provide fewer benefits are probably even more distressed over the increases in health insurance costs.

WHERE WE ARE NOW

ECCO's cost of health insurance has increased at an average rate of 20% per year for 7 years running. A cumulative increase of 260%! On the other hand, our customers have demanded lower costs which has reduced our average sell price by 50% over the same time period. Nowhere in the business world has there ever been an industry that has been able to raise prices the way the health insurance industry has done in America.

Please note these figures do not include costs paid by ECCO for medicare or Medicaid.

Currently our health insurance costs are about 2.5% of our sales dollar. Surely this will double in the next few years if left unchecked. It is well reported that health care cost is a larger cost component of an automobile than sheet metal. If America's businesses get saddled with higher costs than our world wide competitors, the result will be declining competitiveness and loss of jobs.

WHAT WE'VE DONE

We've done just about everything we could think of to reduce the impact of health insurance cost increases on our profits. Here's a list of the things I can remember:

1. We lengthened the "waiting period" for new Team Members health insurance eligibility to six months. The idea was to limit insurance to longer term Team Members only. We abandoned this 5 years ago because it was contrary to our company's way of doing things.

2. We increased the deductible amount and the number of deductibles per family.

3. We switched from a conventional medical insurance plan to an HMO. The year we did this our increase was only 12%, not the 25% offered by the conventional insurance. 1 year later we were back on the 20% increase per year track.

4. We increased the "co-payments" for doctor visits and prescriptions.

5. We encouraged Team Members with spouse employed elsewhere to have their spouse covered by the spouses employer only.

6. We raised the cost share of family coverage more than Team Member coverage to encourage Team Members to have their dependents covered by their spouses employer.

7. We raised the percentage of the total cost to be paid by the Team Member.

8. At one time we even asked prospective Team Members about their use of tobacco. The idea here was to only hire non-smokers. Ultimately, we planned to have a smoker-free work group and demand lower insurance costs. This has been temporarily abandoned.

Most of these actions either reduced benefits or shifted the cost burden to our Team Members. We only treated the symptom, not the cause.

I understand that once a company reaches about 100 Team Members the economics of self insurance makes sense. I hope that's so.

SOME SUGGESTIONS TO CONSIDER

1. Malpractice insurance costs should be reduced. Curtail settlements. The fear of

being sued encourages doctors to practice defensive medicine such as ordering unnecessary tests.

2. Policy makers should look at other rich nations health care plans for ideas. Particularly Germany and Japan. Read the health care survey in the July 6th Economist.

3. The Veterans Administration health care plan and hospitals should be privatized or in some way integrated into the existing health care systems.

4. There should be a "play-or pay" system for employers. Either they have their own plan or they buy into a state or federal pooled risk plan.

5. Encourage HMOs by tax incentive or other means. This is a great concept but needs a greater market presence to flourish.

6. No one should be able to collect from multiple insurers more than the cost of the health care service billed.

7. Do away with the exemption of employer paid insurance premiums from federal and state income taxes, biased to the "better-off". This will encourage companies to choose cheaper insurance.

8. Do away with individual tax deductibility of health insurance premiums for federal and state income taxes.

CONCLUSION

Health care reform is one of America's biggest public policy challenges over the next few years. More of the same is no longer a suitable outcome. I hope all policy makers will find a path that will stabilize health insurance costs.

Thank You LARRY LAROCCHIO and RICHARD STALLINGS for inviting me to offer this testimony.

□ 1250

THE PROBLEMS IN YUGOSLAVIA CAN BE SOLVED

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, the gentleman from New Jersey [Mr. SMITH] and I visited Yugoslavia last week, and we went to Croatia and to Serbia. A lot of people are dying. In fact, last night the AP report pointed out that 10 to 15 died on both sides and about 30 were injured. There are women and children also being killed.

Some people in this country and in the world favor the Serbs, some favor the Croats, and perhaps most of us are perhaps neutral. But one thing we really cannot be neutral on is that the killing and the fighting ought to stop.

I call on President Bush and the Bush administration, Secretary of State and all of those in Congress to demand that there be a cease-fire, and anyone who violates the cease-fire, there ought to then be political and economic sanctions against them. With a cease-fire, peaceful negotiations and with a spirit of reconciliation this problem can be solved.

ARMS CONTROL: THE TIME IS NOW

(Mr. AUCOIN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. AUCCOIN. Mr. Speaker, the Soviet hardliners are gone. The Stalinists who dragged their feet for years on arms control are out. This gives us a once-in-a-lifetime opportunity to rid the world of the threat of nuclear destruction.

Once the Soviets sort themselves out within a few months, we can expect them to be ready, willing, and eager to snap up any mutually beneficial arms control that we propose. They have been telling us that for the last month.

We can stop nuclear testing, we can stop ballistic missile flight testing and send every multiple warhead missile to the garbage dump, and, if we do these things, the threat of a nuclear Pearl Harbor will be gone, gone forever.

What a magnificent gift to our children and to their children. What a chance to build healthcare and education here in this country rather than warheads and missiles.

Regrettably the reaction of the Bush administration to this staggering opportunity seems to be a blank stare. Yesterday Defense Secretary Cheney said, "Whether or not there ought to be additional arms control is an open question."

Mr. Speaker, it is not an open question. We need real stabilizing arms control, and we need it now. If the administration cannot negotiate it, this Congress should legislate it.

LOAN GUARANTEES FOR ISRAEL SHOULD BE DELAYED

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, I am, and all of us are, facing a very difficult issue, and that is on the question of whether or not to delay the taking up of the issue of loan guarantees in the sum of \$10 billion for Israel in order to help that nation, that valiant nation, resettle Soviet emigres.

I have great respect for a nation which has traditionally, and which does again today, extend succor and aid, and assistance and comfort to people who are displaced and people who are adrift. But I also have great respect for my President who has said, in requesting a delay in the taking up of this issue, that the debate on it or the adoption of the loan guarantees could derail or certainly put great impediments in the next month's peace conference to try to settle the issues in the Middle East.

Facing this quandary, I take the position of my President and support him in this effort. And, I believe that the House and the Senate should do nothing which could impede one great result which could come from the gulf crisis, a lasting peace in the region.

I, therefore, Mr. Speaker, urge and hope that we do delay the issue of the loan guarantees for Israel.

THE MANY ACCOMPLISHMENTS OF RUN, JANE, RUN

(Ms. LONG asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LONG. Mr. Speaker, I rise today to announce the anniversary of an organization in my congressional district: Run, Jane, Run, which performs a valuable service for the citizens of this Nation.

Run, Jane, Run, which was established by the Fort Wayne Women's Bureau on September 12, 1980, organizes sporting events for amateur women athletes on behalf of women's centers in eight cities around the country. Profits earned from Run, Jane, Run events are funneled back to women's agencies which provide valuable services, such as shelters for battered or homeless women and their families, and other support services to women.

I am proud of the accomplishments of Run, Jane, Run. The work of this organization touches the lives of many Americans. Today I extend my warmest congratulations to the women and men who give so much to this important effort, and I thank them for their hard work and dedication.

INTRODUCTION OF H.R. 3313, GRANTING MFN TO LATVIA, LITHUANIA, AND ESTONIA

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, I have today introduced H.R. 3313. H.R. 3313 grants most favored nation treatment to Latvia, Lithuania, and Estonia immediately. No delay.

Mr. Speaker, these small, but precious, countries are entitled to this kind of treatment. It will help them recover.

As I learned when talking with the foreign minister of Estonia, celebrating its first day of its freedom; he said, "Lithuania has always been free. We've just been occupied for a great number of years."

That sort of sums up the attitude of these people. Granting them most favored nation treatment along with granting most favored nation treatment to the U.S.S.R. would mean the first constructive step we have to change this vast area of the world.

I just returned from a long and extensive trip in the U.S.S.R. with my subcommittee. I want to say that the opportunity has never been greater to influence this part of the world. They want and they need help, and their attitude is right. It is time for us to ex-

ploit that. I think we first need a united position of free nations of the earth to get rid of the nuclear weapons the U.S.S.R. amassed by a commitment by the United States to do approximately the same thing.

NOT IN MY BACKYARD: REMOVING BARRIERS TO AFFORDABLE HOUSING

(Mr. RIGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIGGS. Mr. Speaker and colleagues, on July 8, 1991, Secretary Kemp's advisory commission on regulatory barriers to affordable housing presented a very important report outlining the results of a 2-year study on Government regulations which drive up housing costs for American families. I find the report most enlightening and commend to my colleagues an editorial entitled "Red Tape Housing" which appeared in the Wednesday, September 4, edition of the Wall Street Journal. As Members of Congress and servants of the public, we are all well aware of the growing housing affordability crisis in the United States, and I am particularly sensitive and aware of this problem because my congressional district represents 2 of the 10 most expensive and least affordable housing markets in the United States. What may not be as clear about this problem is why the problem is emerging and what specifically should be done about it.

Mr. Speaker, before being elected to Congress in 1990, I owned a small property development company in Santa Rosa, CA, and Santa Rosa is one of those communities in my district in the listing of the United States top 10 most expensive markets.

□ 1300

I can tell you from personal firsthand current experience about the deleterious effect that stringent anti-growth and well-intentioned environmental protection policies can have on affordability in a local housing market. I would argue that in many cases, such restrictions eventually backfire, compounding the very environmental growth problems they were designed to control.

Mr. Speaker, I hope Members will review the Wall Street Journal editorials, and will carefully consider the conclusions and representations in Secretary Kemp's report to President Bush entitled "Not In My Back Yard: Removing Barriers to Affordable Housing."

HOUSE SHOULD STAND FIRM ON DECISION TO SHOOT DOWN B-2 BOMBER

(Mr. SLATTERY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. SLATTERY. Mr. Speaker, last Friday the Air Force reported that cracks in the B-2 bomber discovered more than a year ago will require a new titanium alloy and engineering changes costing some \$200 million.

Today we learn that the B-2 is not as stealthy as the Air Force had promised, and as the contractor, Northrop, had promised. The cost is estimated to be hundreds of millions of dollars to fix the latest problem with the B-2.

Mr. Speaker, earlier this year the House took the position that we should stop production of the B-2 at 15, and not authorize any more. The conference committee will be meeting this week. I sincerely hope that all Members will be communicating with our colleagues that are serving on this conference committee and urging them to stand by the position that we have taken, to stop further production of this monstrous waste of the taxpayers' money, and restore some sanity to what we are doing in the Pentagon budget.

As far as I am concerned, we should stop this plane's production at 15, and save the taxpayers hundreds of millions of dollars, and billions of dollars over the next decade. We have a great opportunity to do the taxpayers a great service, if we just stick by our position over the next few weeks. I urge Members to do that.

AMERICA SHOULD SHOW ITS SUPPORT FOR CROATIA

(Mr. ROHRBACHER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ROHRBACHER. Mr. Speaker, over the break I went to the Soviet Union just prior to the coup, and then went to Yugoslavia. I went more specifically to Croatia, which is under attack in a bloody act of aggression by its neighbor, Serbia.

It is about time that the United States not leave this problem solely to the Europeans to solve. The United States is a world leader. We have influence, and should use it to stop the bloody conflict that is going on in the Balkans today. Croatia is asking for nothing more than the right of its people to determine their own destiny and for democratic government.

Belgrade, the Serbian capital, is under the control of the last Stalinist regime in Europe. This Stalinist regime is committing monstrous atrocities against the people of Croatia, trying to subjugate them and steal territory from this newly elected republic.

Mr. Speaker, this is absolutely outrageous. The United States should take a tough stand. If the Stalinists in Serbia continue their atrocities, the murder and the mayhem they are committing

in Croatia, we should recognize Croatia and be willing to throw the complete economic and political influence of the United States behind these people in Croatia, who want nothing more than to have democracy, peace, and prosperity, and to be left alone.

Mr. Speaker, as Americans we should make sure that the people who are struggling in this conflict for freedom know that we are on the side of democracy, on the side of freedom, and the side of peace in the Balkans.

GREED AND SELFISHNESS IN BANKING SYSTEM MUST END

(Mr. SANDERS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, as a member of the House Committee on Banking, Finance and Urban Affairs, I spent almost 9 hours yesterday listening to the testimony of Clark Clifford and Robert Altman regarding their relationship to the Bank of Credit and Commerce, the BCCI. It was not a pleasant day.

Mr. Speaker, I do not know what Mr. Clifford or Mr. Altman knew and whether they were being totally honest with the members of the committee, but this I do know: After having observed the S&L scandal, which exposed widespread corruption among banking leaders in the S&L industry, and after having observed the collapse of hundreds of commercial banks who were investing in Third World dictatorships, junk bonds, and speculative real estate, yesterday's testimony by these two distinguished American bankers was extremely distressing.

These gentlemen made huge profits by borrowing money from Middle Eastern billionaires, including governmental dictators, and then sold those investments, those stocks, for huge profits.

Mr. Speaker, the time is now for major reform in the American banking system. The function of our banks must be to reinvest in America, so we can build the affordable housing that we need, the factories that we need, and the small businesses that we need, and, in the process, create millions of new productive jobs.

Mr. Speaker, we must end the greed and selfishness that the current banking system and the leaders of our banking system are presently functioning with.

AMERICAN WORKERS NEED ASSISTANCE

(Mr. APPELATE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. APPELATE. Mr. Speaker, when, oh when, are we going to wise up

in this country? The President of the United States says we are going out of a recession. I have to say to the President of the United States, come to Ohio, come to eastern Ohio, come to Pennsylvania, Michigan, Illinois, Indiana, Kentucky, New York, or Massachusetts. Come to the northeast quadrant of the United States and look at our jobs leaving. Look at our industries. They are leaving.

The President is giving away our jobs. He is giving away our industry, through bad trade policy and through foreign aid.

People of my district say they want this to stop. He is more interested in helping the other economies of the world, and then he does not want to help America's ex-workers by allowing them a little bit of additional unemployment compensation.

Mr. Speaker, I will say this: My people do not want unemployment compensation. They want to work. They want jobs, they want industry, and they want to keep them in the United States, not send them out of the United States.

I will say this: That if we in Congress and those in the White House do not get our heads screwed on right, the people next year are going to screw us right out of office.

PROVIDE PEOPLE WITH NECESSARY INFORMATION CONCERNING ALCOHOL

(Mr. KENNEDY asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, yesterday Antonia Novella, the Surgeon General of the United States, released a report which indicated that underage drinking is rampant in America. According to Dr. Novella, the minimum drinking age is largely a myth since State laws designed to enforce it are riddled with loopholes or not enforced. As a result, some 7 million teenage boys and girls have been able to purchase liquor for themselves. And while stronger enforcement of minimum age laws is part of the solution, it is only a piece of a much larger puzzle.

The fact is that 90 percent of high school students have tried alcohol; 4.5 million teenagers have serious drinking problems. Half of all motor vehicle accidents, homicides and suicides are alcohol related.

While we spend \$11 billion each year to fight the war on drugs, the industry spends billions of dollars to promote the so-called good life through alcohol use, despite the fact that alcohol kills three times as many Americans as crack, heroin, cocaine, and all other drugs combined.

Many people find out far too late that the quick road to success is just a fast trip to nowhere. Yet our Govern-

ment spends only \$200 million a year on alcohol abuse programs; \$11 billion for drugs, and \$200 million for alcohol? Come on, America; alcohol is a drug.

Mr. Speaker, I believe it is time for us to provide some balance to the thousands of irresponsible ads which glamorize the use of alcohol. That is why I introduced H.R. 1443, the Safe Act, earlier this year. This bill would require advertisers to place one of five rotating warning messages at the end of their ads.

Before any more of our young people are lured to finding success at the bottom of a bottle, let us provide them with the information they need to make the right choice.

UNSAVORY JAPANESE BUSINESS PRACTICES

(Ms. KAPTUR asked and was given permission to address the House for 1 minute, and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I would like to share a vivid example of Japan's subtle and sometimes not subtle methods of undermining U.S. trade policy during the ongoing United States-Japan auto negotiations.

□ 1310

On August 28 I was contacted by a law firm representing Mazda. Because of the congressional political pressure finally being exerted in response to Japan's exclusionary and protectionist automotive and auto parts trade practices, Mazda wants to diffuse the pressure during the negotiations by taking a handful of United States auto suppliers into its family of suppliers.

Now most people would probably say, "Marcy, isn't this what you have been trying to achieve all along?" Not exactly, I must respond. Let me explain.

What this attorney asked for were the names of those U.S. suppliers, "most politically active" so that Mazda can get the most political credit for taking them on. He actually said so.

This is a very blatant practice of throwing crumbs to a few companies in order to get them to stop speaking out about the exclusionary practices of Japanese auto companies and their plants toward the United States industry as a whole.

I ask my colleagues, is this what we have been fighting for so long, to have a few politically influential companies bought off in exchange for our silence? This is maybe how it is done in Japan, but unsavory business practices are not slipping by unnoticed by this Congresswoman.

CONGRATULATIONS TO 1991 KEIZER, OR, MAJOR GIRLS' SOFTBALL TEAM

(Mr. KOPETSKI asked and was given permission to address the House for 1

minute and to revise and extend his remarks and include extraneous matter.)

Mr. KOPETSKI. Mr. Speaker, there is a lot of good that goes on in our country, and today I rise to congratulate the Keizer, OR, girls' softball team, one of the best Little League teams in America.

This team ended a great season with a 16 and 4 record. Then they took the western championship, and then took this tenacity and spirit to the Little League World Series in Kalamazoo, MI. In Kalamazoo they captured third place in the world, best in the West, third in the world and first in our hearts.

These young ladies proved that commitment and dedication is the key to success whether on the sports field or off the sports field. These young ladies can truly carry their heads high with pride in their accomplishments.

This past summer's leadership, pride and teamwork shown by these young ladies reflects the same qualities in their hometown of Keizer, and indeed of all small towns throughout the great State of Oregon.

As many of the smaller communities throughout the Fifth District of Oregon face the challenges and uncertainties which lie ahead, these young ladies on this team provided an example of those qualities which do ensure success in our country.

Mr. Speaker, I am proud to be able to represent these young ladies.

I include for the RECORD the names of the players, coaches, and staff of this inspirational team, as follows:

They are Nikki Arrington, Brianne Beaty, Traci Hearn, Tanya Heyko, Sara Koski, Michelle Lackaff, Nikki Lackaff, Amber Lee, Melinda Pacholl, Michelle Penn, Heidi Priem, Amanda Rawlins, Crissy Sjolander, Allison Williams—players, Joyce Tracewell—coach, Phil Lackaff—manager.

NO CONNECTION BETWEEN U.S. LOAN GUARANTEES AND THE PEACE PROCESS

(Mr. OWENS of Utah asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS of Utah. Mr. Speaker, I rise to welcome those hundreds of activists participating in today's National Leadership Action Day to support absorption loan guarantees for Soviet Jews. Your arrival could not be more timely.

In the last few weeks, the President has stated his opposition to upcoming congressional action on the loan guarantee issue. He has gone so far as to formally ask that Congress defer Israel's request. But Mr. Speaker, by asking for a deferral on the eve of the historic Arab-Israeli peace conference, he is risking the creation of a whole new debilitating distraction. It can kill the peace conference before it begins.

Any further delay in providing Israel with loan guarantees will be very hurtful to Israel's effort to provide food, clothing, housing, and infrastructure development for the hundreds of thousands of Soviet Jews escaping danger and uncertainty in the Soviet Republics. But more relevant to my point, the symbolism of deferral would create political conditions in Israel which could preclude Israel's participation in the conference at all.

There is no connection between U.S. loan guarantees and the peace process. Secretary Baker deserves great credit for the fact that all relevant Middle East leaders have already agreed to participate in the peace conference without preconditions. Why does the administration want to add a whole new factor, a new roadblock? Why cannot the President and the Secretary of State take yes for an answer?

OLDER AMERICANS ACT AMENDMENTS OF 1991

Mr. WHEAT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 219 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 219

Resolved, That at any time after the adoption of this resolution, the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2967) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 1992 through 1995; to authorize a 1993 National Conference on Aging; to amend the Native Americans Programs Act of 1974 to authorize appropriations for fiscal years 1992 through 1995; and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with the provisions of clause 2(1)(6) of rule XI are hereby waived. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider an amendment in the nature of a substitute consisting of the text printed in the report of the Committee on Rules accompanying this resolution as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered by title instead of by section and each title shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and any member may demand a separate vote on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. McNULTY). The gentleman from Missouri [Mr. WHEAT], is recognized for 1 hour.

Mr. WHEAT. Mr. Speaker, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 219 is an open rule providing for the consideration of H.R. 2967, the Older Americans Act Amendments of 1991. The rule provides 1 hour of general debate time to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor.

The rule waives clause 2(L)(6) of rule XI against consideration of the bill. This clause requires that the report on any measure reported by a committee must be available to Members for 3 calendar days prior to consideration in the House. The waiver for H.R. 2967 is necessary because the accompanying report, although ordered reported on August 30 of this year, was not able to be filed until this past Wednesday, when the House returned from its August district work period.

Mr. Speaker, the rule makes in order an amendment in the nature of a substitute, the text of which is printed in the report accompanying the rule, as an original bill for the purposes of amendment under the 5-minute rule. This substitute is virtually identical to the text ordered reported on July 30, 1991, by the Committee on Education and Labor. The substitute is amendable by titles, and each title shall be considered as having been read. Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, H.R. 2967 is an extremely important piece of legislation, reauthorizing the Older Americans Act of 1965 for 4 years, through fiscal year 1995. This act is the major Federal vehicle for the development, coordination, and delivery of programs and services to meet the needs of our Nation's elderly. Although the program targets those older Americans with limited financial resources, it also reaches out to the frail elderly who are isolated from the rest of society and in desperate need of support services. For over a quarter of a century this act, through a network of over 25,000 service providers, has served hundreds of millions of home-delivered and congregate meals, offered community service employment opportunities to low-income elderly, and offered a wide range of support services for older Americans. H.R. 2967 will continue these critical services as well as adapt and expand its network of activities to meet the needs of our growing senior population. I urge adoption of this open rule, which was approved unanimously in the Rules Committee, so that we

may move on to prompt consideration and passage of H.R. 2967.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I am very pleased and honored today to join with my colleague from the Rules Committee, the gentleman from Missouri [Mr. WHEAT], in urging Members to vote for this rule and to vote for the bill. We have before us an open rule that fully protects the rights of the minority to offer a motion to recommit with or without instructions.

The Education and Labor Committee is to be commended for requesting an open rule, as is the House Rules Committee for reporting one.

□ 1320

I also want to take this opportunity, Mr. Speaker, to thank the chairman of the Committee on Education and Labor, the gentleman from Michigan [Mr. FORD], and the ranking minority member, the gentleman from Pennsylvania [Mr. GOODLING], for their excellent work on this vital piece of legislation.

Mr. Speaker, because I believe that the Older Americans Act is one of the finest Federal programs that we have, I would like to take just a couple of minutes to express some of my own thoughts about the bill.

Mr. Speaker, since its creation in 1965, the Older Americans Act has been considered one of the best, if not the best, Federal program in existence. Although older people receive services under many other Federal programs, this act is the major vehicle for the organization and delivery of supportive nutrition and other social services to our older people.

The last time Congress reauthorized this bill, the Older Americans Act, I think was in 1987, and the act was expanded to include several new programs for the frail and the abused elderly as well as ombudsman services for long-term care and elderly outreach services. The 1991 reauthorization bill also contains some important programs, expansions which I was glad to see in the bill, which will improve the role and the administration of the act itself.

The authority of the Commissioner on Aging will be strengthened and staffing will be increased for the Administration on Aging. But even so, it will still leave this program with one of the lowest administrative costs of all Federal programs, and again that is why I commend the committee for producing this piece of legislation.

There will be an increased emphasis on coordinating services at the State and local levels to assist older individuals and stepped-up efforts to increase the training and counseling services for older workers. There will be funds for supportive activities for caregivers who provide in-home services to frail

older individuals, and I think that is terribly, terribly important, and there will be an expansion for disease prevention and health promotion programs.

Among the truly most important programs to be improved and expanded, however, are the nutrition services. In fact, nutrition programs represent 66 percent of the bill's total funding. In 1990 alone, some 7 million people were served 240 million meals and I think that is just outstanding. We all know how important the Meals on Wheels Program is to our elderly.

The bill also makes grants available to the States for establishing a program of hot meals for multigenerational activities and social and recreational activities for the elderly, and elementary, and secondary schools. I think that tying that in without RSV programs is really going in the right direction.

Mr. Speaker, it is only right that such an important piece of legislation be considered under an open rule so that this entire body can work its will. Again, I commend the Committee on Rules for the open-rule process, and I would urge support for the rule. I also urge support for this vital, vital piece of legislation.

Mr. Speaker, I yield such time as he may consume to the ranking Republican on the full committee, the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Speaker, I rise today to express my support for H.R. 2967 and to urge its prompt adoption. Twenty-six years ago, the Congress created this program to give our senior citizens the supportive services they need to lead independent lives in their homes and communities. The bill before us today presents an opportunity to build on a quarter century of progress toward the goal of the act.

Since its creation, the Older Americans Act has been the primary vehicle for organizing and delivering social services to our Nation's older citizens, and by all accounts it has been a highly successful effort. The act has been responsible for building a nationwide network of 670 area agencies on aging, which have become the primary advocates and coordinators of service for our senior citizens.

Federal funding for OAA programs has also generated growing financial support for senior programs from State and local governments. When OAA programs began, Federal funding represented nearly 90 percent of the total resources devoted to supportive programs for the elderly. Since that time, State and local participation has increased dramatically. In 1990, almost 50 percent of OAA program funds were contributed by State, county, and city governments.

Today, the OAA programs face a critical challenge. A growing population of senior citizens has generated increased

demand for services, particularly in the area of in-home supportive care. We all recognize the importance of maintaining older persons in their own communities. In most cases, the quality of their lives, as well as the welfare of the community, are significantly enhanced by the contributions they are able to make. But financing and supply of in-home services have not kept pace with demand. Many States report lengthy waiting lists for long-term care programs and in some areas, very few such services are available at all. These program gaps make it all the more important for services to be coordinated and delivered in the most efficient way possible. The OAA network agencies play an important role as advocates for, and coordinators of, these vital services.

The bill before us today authorizes a \$200 million increase in resources that we hope will strengthen the aging network's ability to respond to the growing demands it faces. With the exception of a controversial provision on the White House Conference on Aging, the bill enjoyed bipartisan support within the Committee on Education and Labor. The issue of the White House conference has been resolved. The en bloc amendment that will be offered today reflects an agreement worked out by the White House and the committee over the past month. With incorporation of this amendment, the administration supports passage of the bill.

As a final note, I would like to commend the subcommittee chairman, Mr. MARTINEZ, and our chairman, Mr. FORD, for his leadership on this bill and for his bipartisan efforts on behalf of our Nation's older citizens.

I would also like to thank the staffs on both sides for their work.

The fine job that is performed in my 19th District by the area agencies on aging in York, Adams, and Cumberland Counties has proven a great assistance to my many senior citizens.

The Volunteer Service Credit Act was part of our legislation back in 1988. I was an original cosponsor of the bill offered by the gentleman from Oregon [Mr. WYDEN], when this provision was added.

The amendment now, the en bloc amendments, will make it mandatory, and so we will now have additional incentive for volunteers and a way of paying back the volunteer efforts currently taking place.

Again, I would encourage all of my colleagues to support the Older Americans Act Amendments of 1991.

Mr. SOLOMON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. WHEAT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the Members have heard from both the distinguished gentleman from Pennsylvania and the gentleman from New York, there is bipar-

tisan agreement and support for both the bill and for the process by which we will consider this bill on the floor.

I would ask that my colleagues support the previous question on this rule.

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 219 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2967.

□ 1330

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2967) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 1992 through 1995; to authorize a 1993 national conference on aging; to amend the Native Americans Programs Act of 1974 to authorize appropriations for fiscal years 1992 through 1995; and for other purposes, with Mrs. PATTERSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California [Mr. MARTINEZ] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. MARTINEZ].

Mr. MARTINEZ. Madam Chairman, I yield myself such time as I may consume.

Let me start out by saying that it is with a great deal of pleasure that I am here today to amend the Older Americans Act and its reauthorization and continue the recognition of our responsibility to the elderly of our Nation.

As we look to the end of this century and into the year 2000, we come face to face with the overwhelming needs of a graying America. As we plan for the forthcoming millennium, the increase of older individuals compels us to develop a comprehensive response to the modern needs of our citizens.

Fortunately, the Older Americans Act which was passed, as the gentleman from Pennsylvania [Mr. GOODLING] said, in 1965, 26 years ago, continues to adapt to the needs of our senior citizens and it is one that we need to reauthorize again now.

The Older Americans Act programs and funding have been the lifeblood to our communities, assisting the poor, the vulnerable, and the isolated.

The 1991 amendments will renew authority for the act for an additional 4

years, and attempts to look ahead to the needs of the older individuals in the years ahead. For that reason, we have devised improvements in the delivery system of the act along with an authorization to meet new program demands.

The amendments give the Commissioner on Aging, as the gentleman from Pennsylvania [Mr. GOODLING] has said, authority to control the administration's budget and personnel. It increases staffing levels to administer the program. It improves data collection to enhance monitoring and targeting efforts, and requires specific evaluations to improve the effectiveness of programs and forge new coordination of services in the program.

In addition, services to assist older individuals for health prevention, nutrition quality enhancement, elder abuse, legal assistance, language assistance, and intergenerational activities were added.

And, for the first time, the amendment makes Congress and the private sector equal policy participants with the administration in the White House Conference on Aging. The joining together of two branches of Government, along with private sector participants, to set the aging policy for the Nation for the next 10 years is a historical precedent.

The aging community is excited about a meaningful conference with a likelihood of congressionally mandated policy outcomes. We have the mutual support of members on both sides of the aisle for the innovative conference approach we have added.

The amendments also include a 4-year renewal of the Native American Program's authority. The well-regarded HHS Native American Program, currently funded at \$30 million, makes grants to Indian tribes to assist their development toward economic and social self-sufficiency.

It is my greatest hope that we have improved the Older Americans Act programs to effect the true fulfillment of our Nation's citizens in the golden years of their lives. Communities are where we begin and win the fight for quality in the life of all Americans. I urge my colleagues to support the passage of the Older Americans Act.

Mr. GOODLING. Madam Chairman, I yield 2 minutes to my colleague next door, the gentleman from Pennsylvania [Mr. GEKAS], who has an interest in a section of this bill.

Mr. GEKAS. Madam Chairman, I thank the gentleman for yielding me this time.

I would like to express my gratitude to the gentleman from California and his staff for helping me throughout long months of deliberation on one aspect of the bill that is before us, and to his predecessor, the gentleman from Michigan [Mr. KILDEE], and to the gentleman from Michigan [Mr. FORD], and

to the gentleman from California [Mr. ROYBAL] and the gentleman from Pennsylvania [Mr. GOODLING] who all played a part in my little portion of the world of the Older Americans Act. That portion, Madam Chairman, has to do with a spectacle that appeared on the television screens of every home in America a few years back when a 92-year-old lady was being forcibly evicted from her home in Pennsylvania for failure to pay taxes on her property. The spectacle of husky men dragging this 92-year-old lady out of that house triggered a whole series of meetings and action which finally resulted in this moment on the floor of the House.

We developed legislation right from the start and brought it to the attention of the relevant committees and committee chairmen to try to forever rid our Nation of the possibility of a person over 65 years of age being forcibly evicted from their residences, for whatever reason.

Now, this does not mean that failure to pay taxes or failure to pay rent or to pay a mortgage will be forgiven and that person will forever be allowed to remain in that residence; but rather, we want a system whereby when a person is about to be evicted that filing papers for that cause would result in notification to the local department of aging, the area agency for aging, if you will, who will then be able to spring to the side of this unfortunate individual and guide the next portion of that life through a transition to better housing, alternative housing, or somehow to make up the rent or mortgage payment that caused the eviction in the first place.

What this legislation provides and for which I am grateful is a demonstration project that will permit States to put into effect some kind of free, as we call it, foreclosure relief effort for the elderly, so that never again will we have in our country once this becomes law across the land that awful tragic view of an older person being thrown out of one's residence.

Mr. MARTINEZ. Madam Chairman, I yield such time as he may consume to the gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY. Madam Chairman, I want to thank the gentleman from California [Mr. MARTINEZ] for giving me this opportunity. I also would like to take this opportunity to congratulate him and Chairman FORD and the gentleman from Pennsylvania [Mr. GOODLING] for the fine work they have done on this authorization of the Older Americans Act.

All of us, fortunately, have been the beneficiaries of seeing this act give opportunities to senior citizens that they have not had prior to the act, whether it is title V of the Older Americans Act or any other of the myriad provisions.

I serve as chairman of the Human Services Subcommittee of the Commit-

tee on Aging. I see the gentlewoman from Maine [Ms. SNOWE] who is the ranking member. We have had eight hearings on the reauthorization of this act.

I am particularly pleased to note that the chairman has been receptive to a number of the recommendations of the subcommittee that myself and the gentlewoman from Maine [Ms. SNOWE] have been involved in.

In particular, H.R. 1504, which is the bill to create a National Conference on Aging, most of us were very concerned that the White House did not convene the 1991 Conference on Aging, and now because of the fine work of the gentleman from California [Mr. MARTINEZ] and his subcommittee, the Congress is going to play a much more important role in convening this Commission, and I think that is all to the good.

Also, along with Congressman MILLER, title III(b) of this bill reflects a concern that I and others have had about a person who receives home health aid services, that these people be subject and allowed the same standards of supervision, training, and certification, which apply to a Medicare program.

This is an extraordinarily positive and important development, as are many of the other important changes that the gentleman from California [Mr. MARTINEZ] has brought here, and the gentleman is to be congratulated and commended.

It is my hope, and I plan on working with the gentleman in the future to make sure that the provisions of this act are properly funded.

If we were to pay more attention to home health aid, if we were to provide more money there, we would save this country hundreds of millions of dollars and the suffering would be dramatically reduced for many tens of thousands of our elderly citizens. I want again to congratulate the gentleman for the fine work he has done.

Mr. MARTINEZ. Madam Chairman, will the gentleman yield?

Mr. DOWNEY. I am happy to yield to the gentleman from California.

Mr. MARTINEZ. Madam Chairman, I would be remiss if I did not commend the gentleman from New York for his hard work and diligence and being an original cosponsor of this bill. Again I thank the gentleman from the bottom of my heart.

Mr. DOWNEY. Madam Chairman, I also thank the gentleman.

Mr. GOODLING. Madam Chairman, I yield 2½ minutes to the gentleman from Nebraska [Mr. BARRETT], a very important member of the committee.

Mr. BARRETT. Madam Chairman, I thank the gentleman from Pennsylvania for yielding me this time.

Madam Chairman, I rise in support of H.R. 2967. This bill continues the tradition of providing high-quality services to meet the needs of our frail and elderly citizens.

Nebraska receives nearly half its funding for elderly services from this act. Thanks to the great volunteers and tireless employees who provide these services, Nebraska's elderly are receiving better attention than ever before because of the Older Americans Act.

Thankfully, the members of the Education and Labor Committee saw fit to accept an amendment from our colleague, the gentleman from Pennsylvania [Mr. GOODLING] to restore \$39 million to the authorization level for supportive services, like senior citizen centers.

Madam Chairman, when the population of elderly in this country is increasing, we cannot send signals to the elderly community that our commitment to helping them cope and remain independent, during the final years of their lives is on the wane.

By restoring the \$39 million authorization, I know that the communities throughout the Nation will be heartened to see these funds restored, and that our commitment caring for the well-being of our elderly community is still very strong.

And indeed we should be doing more to help the elderly.

However, a mechanism that could help those who aren't getting the needed services and meals was not included in the bill. And that's the idea of voluntary cost-sharing.

Currently 38 States use voluntary cost-sharing for congregate meals; meaning that senior citizens can volunteer to declare their income, and then be charged on a sliding-fee schedule for the meals they receive.

When asked by the General Accounting Office, and in a separate report by the inspector general of the Department of Health and Human Services, an overwhelming number of senior citizens said they liked cost sharing because they liked paying something for the services that they receive.

But my concern with cost sharing, in no way should detract from the yeoman's job Subcommittee Chairman MARTINEZ and ranking member FAWELL have done on this bill.

I know our senior citizens will greatly benefit from their tireless efforts to insure that the elderly receive the best service possible.

Mr. MARTINEZ. Madam Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. GUARINI].

Mr. GUARINI. Madam Chairman, I thank the gentleman for yielding time to me.

Madam Chairman, I commend the chairman of the committee, the gentleman from Michigan [Mr. FORD] and the ranking member, the gentleman from Pennsylvania [Mr. GOODLING] and especially the gentleman from California [Mr. MARTINEZ] for their vision, leadership, and the view that they have

had toward reshaping the Older Americans Act. I find this very timely and very critical at this point of our history.

Madam Chairman, finding quality, affordable child care is tough on the average American. This problem will get worse unless we act now.

Earlier this year, I introduced H.R. 1822, the Older Americans Child Care Employment Amendments of 1991. My bill could match up millions of children in need of day care with millions of Americans who can provide that care. It does this by creating a nationwide program of day care centers staffed by elderly Americans.

Older Americans—many of whom have raised families of their own—are well-suited to offer the love, care, and guidance so urgently needed by young children. My bill would also give older Americans the opportunity to earn extra money, while at the same time sharing their experience and knowledge with others.

Today, we are considering the reauthorization of the Older Americans Act of 1965. That bill—which has my full support—authorizes many important programs for senior citizens, and is an excellent bill in its own right. I am pleased to say that provisions of my bill have been incorporated into the Older Americans Act reauthorization.

Under the new provisions from this bill in the Older Americans Act, the commissioner on aging will set up demonstration project grants for multigenerational activities. Seniors will be able to get involved in child care, day care, educational assistance, family support programs, and juvenile delinquency treatment. This will allow seniors the opportunity that many of them seek to stay intimately involved in their community. The result: Senior citizens are earning money while helping working American families and children cope with many of the difficulties they face.

Madam Chairman, I am proud that this important project is on its way to passage. Given the chance, I believe that this initiative can flower into a nationwide movement employing tens of thousands of older Americans and eliminating the shortage we have throughout our Nation of quality day care.

Mr. GOODLING. Madam Chairman, I yield 2 minutes to a distinguished member of our committee, the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Madam Chairman, I am pleased to have this opportunity to speak in favor of H.R. 2967, the Older Americans Act Amendments of 1991. I commend the efforts of the chairman of the Education and Labor Committee, Mr. FORD, and the ranking minority member of the full committee, Mr. GOODLING, and Mr. FAWELL in producing a bill that provides various services

that enable our Nation's seniors to live and work independently.

The Older Americans Act is currently celebrating its 26th anniversary. Since its inception in 1965, the Older Americans Act has focused on the health, legal, and employment needs of our senior citizens. Some of the specific program highlights include: in-home service for frail elderly, home health services, coordination of community-based long-term care services, development of elder abuse prevention programs, training of individuals for employment opportunities in private industry, and providing home delivered meals to our more vulnerable seniors.

One example illustrating the effectiveness of the Older Americans Act is title III of the Older Americans Act that funds the home-delivered meals program. In Wisconsin, the nutrition program has served as the foundation for many seniors' programs. In 1990, western Wisconsin's 169 meals sites served over 1 million meals to seniors in 19 counties. In the bill that is before this Chamber, authorization for the home-delivered meals program has been increased from slightly over \$79 million to \$120 million for fiscal year 1992.

Another outstanding program authorized under the Older Americans Act is the Senior Community Service Employment Program. This program provides subsidized, part-time employment to low-income seniors age 55 and older. H.R. 2967 authorizes over \$470 million for the Senior Community Service Employment Program. The program is currently being funded at \$390 million. In recent years, the program has also undertaken the goal of placing participants into unsubsidized employment opportunities. In 1990, more than 24 percent of program participants were placed into unsubsidized jobs. Under the Senior Community Service Employment Program, participants work 20 hours per week and are employed in community service activities such as home health care agencies and adult day care facilities.

Over the past 26 years, the Senior Community Service Employment Program has provided employment to over 10,000 individuals in Wisconsin. In my home county of Trempealeau, seniors employed in the Senior Community Service Employment Program have worked on various landscaping and construction activities for the Osseo-Fairchild School District and for my hometown of Pleasantville.

Another important component of the Older Americans Act is the White House Conference on Aging. In the original bill that was passed by the Education and Labor Committee, the White House Conference on Aging was changed to a National Conference on Aging. After several weeks of negotiations, I am very pleased that one of the amendments offered in block will be to

restore the White House Conference on Aging. I would like to express my appreciation to Chairman FORD and his staff, especially Gene Sofer, Bill Goodling, Harris Fawell, and Mary Ann Chaffee from the minority staff, for working with me on this important issue.

The White House Conference on Aging was first created by Congress in 1958. Representative John Fogarty of Rhode Island was the chief sponsor. The bill came before this body in July 1958. During floor debate both Mr. Fogarty and Mr. Bosch, of New York, said that they envisioned a conference as a means of bringing recommendations from the States together. These recommendations would then be transformed into a program of guidance for government and non-government entities at the Federal, State, and local levels.

Three White House Conference on Aging have been held since the original legislation was enacted. Those conferences have produced recommendations that have played a large role in giving birth to the Older Americans Act, improving health care services for our seniors, providing employment opportunities, and developing community service programs that will make, as stated in the 1961 Report of the White House Conference on Aging, "the gift of added years of life a period of reward and satisfaction." I am confident that the next White House Conference on Aging, which will be held in 1993, will continue the spirit of the 1961 conference.

Mr. MARTINEZ. Madam Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Madam Chairman, I thank the gentleman from California for yielding time to me.

Madam Chairman, I would like to applaud the gentleman from California [Mr. MARTINEZ] and the gentleman from Michigan [Mr. FORD] for their efforts in bringing this vitally important bill to the floor today.

For over a quarter century, the Older Americans Act has been providing older individuals with both the resources and the opportunities so that they are better able to help themselves. Passage of this reauthorization will support the efforts of the 80-year-old woman in my district who delivers meals to persons who are too frail to prepare their own food. It will continue the important work of a nursing home ombudsman who takes the time to look into the needs of a stroke victim. And it will play a significant preventative role in cost effectively assisting persons in their communities during a time of rapidly increasing health care costs.

It is for this reason that I introduced H.R. 2393, the Older Americans Health Promotion and Disease Prevention Act. This act, which has been incorporated

into both the House and Senate versions of this reauthorization, will expand the preventive health services program to include disease prevention and health promotion services. By providing these services at senior centers throughout the country, I firmly believe we will improve the quality of life for tens of thousands of older Americans and save millions of dollars through education and early detection of health care problems.

One of the Older Americans Act's greatest strengths is that it is comprised of a strong coordinated national network which is flexible enough to develop services to meet local needs. H.R. 2967 continues this tradition by serving older persons with the greatest social and economic needs, while also playing a key preventive role by serving older persons in a variety of settings. I urge my colleagues to support this important legislation.

□ 1350

Mr. GOODLING. Madam Chairman, I yield 2 minutes to the almost-ranking member on the committee, the gentleman from Missouri [Mr. COLEMAN].

Mr. COLEMAN of Missouri. Madam Chairman, I am pleased to rise today in support of H.R. 2967, the Older Americans Act Amendments of 1991. This important legislation reauthorizes the Older Americans Act, which is the major vehicle for the organization and delivery of vital social and nutritional services to America's senior citizens. As the only Federal categorical program solely focused on these service needs, the importance of the Older Americans Act is unquestioned.

To many older Americans, the Older Americans Act means Meals on Wheels. But in addition to home delivered meals, the act provides for the delivery of nutritional services in congregate meal settings; sets up a new school-based program to provide hot meals to seniors; and increases reimbursement under the surplus commodities program.

For others, the Older Americans Act means the local senior center. It is in-home access and legal services, in-home care for the frail elderly, and disease prevention and health promotion activities.

For thousands of low-income persons over the age of 55, the Older Americans Act means financial independence through the community services employment program. The program provides subsidized, part-time employment, with an emphasis on the provision of services to other seniors. Participants are employed by day care centers, schools, and hospitals, and are provided with personal and job-related counseling, annual physical exams, and job training. Furthermore, from 20 to 25 percent of those leaving the program each year are successfully channeled into unsubsidized employment.

Today's bill means increased protection for America's seniors through State long-term care ombudsman programs, a new Office of Federal Long-Term Care Ombudsman, the new National Ombudsman Resource Center, direct funding for the prevention of elder abuse and exploitation, and a new foreclosure and eviction assistance program.

For native Americans, native Hawaiians, Alaskan Natives, and Pacific Islanders, this bill today means an increased opportunity for self-sufficiency.

The programs packaged together in this act are of vital importance to the well being of American's seniors, providing nutrition, social services, and job opportunities. The issues that have surfaced during the reauthorization debate have illustrated the differences in some of our perspectives, but have also served to highlight our common goal: to ensure that America's older citizens continue to be well served by the Older Americans Act.

I want to thank the gentleman from Illinois, the ranking member on the Subcommittee on Human Resources, for his work on this bill, as well as the chairman of the subcommittee, the gentleman from California. In addition, I would like to thank the ranking member and the chairman of the full Education and Labor Committee for their expedited consideration of H.R. 2967, and for their efforts in bringing the bill to the floor today.

Simply stated, the Older Americans Act Amendments of 1991 means dignity and independence for millions of America's senior citizens. I am pleased to speak out in support of this bill today, and I urge my colleagues to join me in voting to secure for our older citizens the invaluable benefits of dignity and independence.

Mr. MARTINEZ. Madam Chairman, I yield 3 minutes to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Madam Chairman, I want to, first of all, compliment the gentleman from California [Mr. MARTINEZ], and the gentleman from Michigan [Mr. FORD] for their leadership on this very, very important issue. It is really the lifeblood bill in many ways for senior citizens, and they have done a tremendous job in assuring people that they can get services, et cetera, the meals, and the employment programs. The health, vitality, and independence of older Americans are assured.

I also want to pay tribute to the chairman of the Select Committee on Aging, the gentleman from California [Mr. ROYBAL], who has had, as kind of a support to the Committee on Education and Labor, many, many hearings on many issues related to the elderly. I say to them, "I want to thank you from the bottom of my heart for putting in a piece of legislation that I

introduced 10 years ago and had the support of the then late great Claude Pepper related to elder abuse."

Madam Chairman, 10 years ago there were about a million older Americans who could be documented as being abused. Today there are 1.5 million Americans who can be documented as being abused. Yet we never really addressed, as we had with child abuse, in spousal abuse, the problem of elderly abuse. Maybe it is because we did not want to admit that in fact older Americans are very often abused. They are abused physically, they are abused psychologically, and very often they are abused, unfortunately, by their loved ones.

Madam Chairman, I believe that this legislation, the Older Americans Act, which for the first time will have a major provision related to elder abuse, to conduct the research, disseminate information, have the clearinghouse that we have for child abuse problems, authorizes funding for State grants, and demonstration projects and training for individuals who work with the elderly, will be a very, very positive step in addressing what has been a national disgrace and a national shame. It is really a shame that in a way we have seen 15 to 20 million more Americans in that decade period be abused that may have been assisted by this legislation.

However, Madam Chairman, the fact is that we have it now thanks to the leadership of the gentleman from California [Mr. MARTINEZ], the gentleman from Michigan [Mr. FORD], and the pushing by my chairman, the gentleman from California [Mr. ROYBAL], for including this in the Older Americans Act. The Committee on Energy and Commerce was very gracious. I believe, in yielding to the Committee on Education and Labor on this because there were certain provisions; and I am very, very grateful.

Let us hope that we will see an end to elder abuse, and I am grateful, once again, for my legislation being included in the Older Americans Act.

Chairman FORD, subcommittee Chairman MARTINEZ, I would like to begin by commending you both for continued outstanding leadership in public policy as it relates to the quality of life of older Americans. The bill before us today provides for the continuation of a number of services which are vital to our senior citizens. These include supportive services, congregate and home delivered meals, the community service employment programs, and other initiatives dedicated to maintaining the health, vitality, and independence of older Americans. Current statistics indicate that malnutrition has been reported in 52 to 85 percent of all long-term care patients, and the focus of H.R. 2967 on nutrition among the elderly comes at a very critical time.

Madam Chairman, I must especially thank you and Mr. MARTINEZ for adopting the critical provisions of my legislation, H.R. 385, the Elder Abuse Prevention, Identification, and

Treatment Act of 1991. I would also like to take this opportunity to thank Chairman ROYBAL, who has always displayed tremendous leadership on these issues and also worked on this bill.

I am now closer than ever to seeing the completion of my 10-year effort, which I began with the support of our late colleague, Senator Claude Pepper, who first coined the term "elder abuse." Over a decade has passed since the Aging Committee's first report on the problem, which called for the passage of my legislation. Last year, a new report, issued under the leadership of our Aging Committee Chairman ROYBAL, found that since that first committee report, the incidence of elder abuse has increased 50 percent. In the 10 years it has taken to get this bill enacted there have been 10–15 million cases of elder abuse in the United States.

H.R. 2967 and the Senate companion, together, contain all of the essential provisions of my legislation, H.R. 385. As I have mentioned, my legislation is patterned after very successful Federal programs which address the terrible problem of child abuse. H.R. 2967 includes the language of my bill which calls for the creation of a National Center on Elder Abuse to conduct research and disseminate information to the States on all aspects of the problem. The bill before us authorizes funding for State grants and demonstration projects to address the problem of elder abuse, which, like child abuse, occurs most often not in institutional settings but in the home. Grant funding will be used in a comprehensive effort to promote coordination among State and local authorities, social workers, and health professionals who are in a position to prevent, identify, or treat the problem. The funding will also be available for training programs that give such people the tools they need to prevent elder abuse from occurring, identify the problem when it does occur, and to assist those who are affected.

It is difficult to believe that this problem is so prevalent in our Nation—we hate to even think about it. Yet, an estimated 1.5 million cases occurred in the United States last year. One out of every 20 older Americans fell prey to some form of serious abuse or neglect. It is an even greater shame that while only one out of every three child abuse cases is reported every year, only one out of every eight elder abuse cases gets reported to the proper authorities.

Madam Chairman, this is truly a watershed day for the victims of elder abuse, fraud, and neglect in the United States. Again, Chairman FORD, H.R. 2967 is a tribute to your continued concern for the quality of life of the Nation's senior citizens. This is consistent with all of the great work we have done together on the Post Office and Civil Service Committee in support of our Nation's Federal retirees.

I repeat my thanks to you, to Mr. MARTINEZ of California, House Aging Committee Chairman ROYBAL, and the entire Education and Labor Committee for this excellent bill before us today. I must also thank all those who have cosponsored my legislation, H.R. 385. I would also like to thank our distinguished colleagues in the other body, Senator DENNIS DECONCINI and Senator BROCK ADAMS, for putting this elder abuse legislation in the companion vehi-

cle. I support the entire bill and I urge passage of this critical legislation.

FACTS AND STATISTICS ON ELDER ABUSE

The victims of elder abuse are likely to be old, age 75 or older.

Women are more likely to be abused than men. This is due, in part to their life expectancy. Women, on average, live longer than men.

The victims are generally in a position of dependency.

The abused elder is less likely to report the incident of abuse than abused persons in other age groups.

Since the release of the Aging Committee's first report on elder abuse in 1981, the percentage of elder abuse cases reported has decreased from one in six to one in eight.

43 States and D.C. have what they consider to be adult protective service laws which require mandatory reporting of abuse. However, there is little consistency among States as to penalties and who is required to report.

While some 40 percent of all required abuse involve adults and elderly adults, only 4 percent of State budgets for protective services are committed to elderly protective services. The average state expenditure was \$3.80 per elderly resident.

Some 70 percent of all adult abuse reported annually involve elderly victims.

About 5 percent of the nation's elderly may be the victim of some form of abuse—physical, financial, or emotional, each year. About 1,500,000 older Americans are abused by family, loved ones and caregivers each year.

Since 1981, the primary source of Federal funding for protective services, the Social Services Block Grant, has been cut in real terms one-third by direct cuts and inflation.

The types of physical abuse include deliberate physical injury, sexual abuse and negligence. Other forms of abuse include financial abuse, psychological and emotional abuse.

Common profiles of elder abusers—Experiencing great stress due to alcoholism, drug addiction, marital problems, or long-term financial difficulties. The son of the victim is the most likely abuser, followed by the daughter of the abuser. It is apparent that the abused person is often ashamed to admit their child or loved ones abuse them and they often fear reprisals.

Most elder abuse occurs in the home setting.

OHIO DEPARTMENT OF HUMAN SERVICES FACT SHEET—ELDER ABUSE, NEGLECT, AND EXPLOITATION IN OHIO

FACTS

9,178 elderly Ohioans were reported as having been abused, neglected, or exploited during the last twelve months (7/1/88–6/30/89).

Persons in need of protective services numbered 5,670.

3,021 were not in need of protective services, but may well have needed other support services provided through their county departments of human services.

Those in need of protective services but refusing the service totaled 826.

The county departments of human services handle abuse/neglect/exploitation reports and must begin an investigation of emergencies within 24 hours of their receipt.

Each of us has an obligation to help our older relatives, neighbors, and friends understand their options when they are subjected to abuse, neglect or exploitation.

Social, medical, and mental health care professionals are mandated by law to imme-

diately report suspected abuse, neglect, (including self-neglect) or exploitation to the county department of human services. Also required to report are attorneys, peace officers, senior service providers, coroners, clergymen and professional counselors. Any concerned citizen should report suspected situations of elder abuse, neglect, or exploitation to their county department of human services.

Mr. GOODLING. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. FAWELL], the ranking member on the subcommittee which brings us this legislation.

Mr. FAWELL. Madam Chairman, I rise today to offer my enthusiastic support for H.R. 2967 and to urge its prompt adoption. It has been a pleasure for me, as the ranking minority member of the Subcommittee on Human Resources, to work with Chairman MARTINEZ as well as Chairman FORD and ranking member GOODLING, and to take part in reauthorization of this program which has been so successful and meant so much to our Nation's older citizens.

The bill before us today increases spending authority by over \$200 million, which translates to 12 percent growth in programs authorized by the Older Americans Act. It is an unfortunate fact of life, however, that current budget constraints and actual appropriations prevent us from increasing funding for OAA programs that would keep pace with inflation and the growth of our senior population.

Resource limitations make it all the more important for us to remain vigilant in ensuring that we reach those elderly persons with the greatest social and economic need. To that end, we have included provisions in H.R. 2967 that will improve program and demographic information so that our neediest senior citizens will have better access to the services they require.

I believe the bill focuses well on the need for better coordination of services for our older citizens, particularly those in need of long-term care services. We have heard testimony from a number of State officials and program managers who report long waiting lists for in-home supportive services such as homemaker assistance and adult day care. Our intent in this bill is to encourage maximum coordination of services so that network agencies can improve service delivery systems that are currently in place.

The bill also acknowledges the importance of prevention strategies to avoid the need for long-term care by authorizing a Disease Prevention and Health Promotion Program within senior centers throughout the country. At a time when burgeoning health care costs can impoverish our older citizens who suffer from chronic disease, it is important to emphasize the need for effective prevention services.

While I support the overall spirit of the bill and believe that certain new

provisions will improve the aging network's ability to serve our senior citizens, I am concerned about the number and array of new requirements that H.R. 2967 would impose on the Administration on Aging, which manages OAA programs. For instance, there are provisions to create new structures within AOA for ombudsman and elder abuse programs. I think these are laudable initiatives, but there is little gain in developing new systems if the resources and management structure and appropriations to support them are not in place. Unfortunately, that is the case.

The General Accounting Office has recently completed an evaluation that looked at AOA's ability to accomplish its current mission and objectives. Regrettably, the GAO found that AOA has been overwhelmed with increasing demand during a time when resources have actually been shrinking. During a hearing of the Select Committee on Aging's Subcommittee on Human Resources, of which I am a member, we heard strong testimony from GAO about AOA's inability to provide even minimum oversight and technical assistance for the basic programs they administer.

Yet H.R. 2967 will add a number of new grant authorities to this menu of basic programs. For example, once appropriations exceed 102 percent of the previous year's level, the bill authorizes a multigenerational meal program in school sites. I understand that programs like this one have been successful at the local level and have much to recommend them, but does it make sense to require AOA to carry out new programs when they are unable to oversee the basic nutrition services they have been charged to administer for the last 20 years?

Given the compelling evidence of an agency that is obviously overwhelmed with its current requirements, it is troubling that we are now proposing to increase those responsibilities when it is highly unlikely that resources will grow sufficiently to meet new demands. It seems to be that we would have been better served by ensuring that AOA is enabled to support the basic nutrition and social services that are the backbone of this act, rather than force an unfunded expansion of efforts. I hope that over the next years the committee will exercise its oversight role to ensure that AOA is not diverted further from its primary mission.

However, the pluses of this bill, of course, far outnumber the minuses. In closing, I would like to again commend Chairman MARTINEZ of the Human Resources Subcommittee and Chairman FORD and Ranking Member GOODLING for their help and leadership in forging the bill and for making it possible to craft a compromise bill that the administration can support. The en bloc

amendment that will be offered later includes language on the White House Conference on Aging that is acceptable to both the White House and the Committee. Chairman FORD's assistance, as well as Ranking Member GOODLING's, in that effort was particularly invaluable.

Mr. MARTINEZ. Madam Chairman, before I yield time to the next speaker, I, too, would like to commend the gentleman from Illinois [Mr. FAWELL] as ranking member of the Subcommittee on Human Resources for his fine work, as well as the staff of the minority who did a great, great job.

Madam Chairman, I yield 4 minutes to the gentleman from California [Mr. ROYBAL], the chairman of the Select Committee on Aging.

□ 1400

Mr. ROYBAL. Madam Chairman, as chairman of the Select Committee on Aging, I rise in support of this most important piece of legislation. I think this is one of the most important pieces of legislation that will come to the House this year.

I would like to take this opportunity to compliment the chairman of the subcommittee, the gentleman from California [Mr. MARTINEZ], and I compliment also the ranking minority member and their staffs for the wonderful job they have done in bringing this matter to the floor, particularly on this day, and for the time spent coordinating their activities with the Select Committee on Aging and presenting this important piece of legislation to the House.

The history of the Older Americans Act is one of great challenge, but it is also one of accomplishments, for this act has grown tremendously from its very inception, all due to the fact that this House and the Congress of the United States have reauthorized the act at least 12 times. I believe that each time the act has been improved, and it also has improved the ability of the aging network to deliver a full range of services to the older population.

To a frail, home-bound older person, the act may mean home-delivered meals, homemaker services, and transportation for medical appointments. To a low-income older worker, the Older Americans Act may mean a part-time, community service job under title V. For others who are isolated and lonely it can well mean meals, activities, and volunteer opportunities at senior centers—an important part of their lives.

The act as written provides elder abuse prevention, ombudsman programs, outreach and information and referral systems, health education and promotion—the list goes on. Clearly, the aging network has evolved into a sophisticated system in response to the ever changing needs of the elderly. Today, the Older Americans Act en-

compasses programs that were barely thought of in 1965, but which were developed as the aging community learned more about the aging process and the hopes and expectations of older Americans.

Throughout the last year the Select Committee on Aging reviewed the most recent proposals to amend the act and examined recent developments in the aging network. Many of the committee's recommendations are also included in this bill. I believe the provisions offered here today compliment and further clarify the purpose and intent of the act.

I am pleased to report that this bill includes many of the provisions of H.R. 2780, which my colleagues—the Honorable MATTHEW MARTINEZ, the Honorable MARY ROSE OAKAR, the Honorable RON WYDEN, the Honorable THOMAS DOWNEY, and the Honorable DALE KILDEE—and I recently introduced to provide a national response to abuse of our elderly in institutions and in their homes.

The Aging Committee found that the only active and effective advocate for the elderly residents of institutions in many States is the State long-term-care ombudsman. This program, however, has been woefully underfunded by the Federal Government, and its work in some instances is administratively hampered in the States. Recognizing that the incidence of abuse will continue to increase as the population ages, this bill will strengthen the ability of the State ombudsman to respond to abuse complaints expeditiously and without undue influence. This bill establishes within the Administration on Aging [AOA] an Office of the Long Term Care Ombudsman to advocate, monitor, and coordinate Federal and State long-term-care ombudsman activities.

Elderly abuse, neglect, and exploitation of elders living in their own homes is rampant. Efforts to address this kind of abuse by State adult protective service programs have proved inadequate; my colleague MARY ROSE OAKAR, has been the primary sponsor of legislation to put this program in place and I was pleased to join her in urging the placement of this program in the Older Americans Act.

Other provisions that the Select Committee on Aging has promoted and are included in the act are:

Under title III, translating services for elders with limited English-speaking ability.

The eligibility for those individuals, who under the Immigration Reform and Control Act [IRCA] of 1986, were granted resident status to participate in the programs under title V of the act.

In the area of housing for the elderly, area agencies on aging will work with nonprofit housing entities to develop access to services within the housing complex.

Heighten the distinction and effectiveness of the White House Conference on Aging by bringing both the legislative and the executive branches of Government and private individuals together for the first time in the history of the conference to formulate and establish comprehensive national policies for the older Americans.

Additionally, throughout the act key language has been inserted to promote and increase the services and the participation of elderly minorities and those of low income.

In short, these amendments provide greater focus in the act on the needs of the minorities and the frail and disabled elderly. I firmly believe that these amendments will enhance the aging network's ability to fulfill the critical role it now plays, and will increasingly play, in the lives of over 43 million Americans who are over the age of 60 and their families. I urge you to join me in supporting these amendments and demonstrating the Congress' commitment to a stronger older Americans Act and to the people it serves.

Mr. GOODLING. Madam Chairman, I yield 3 minutes to the distinguished gentlewoman from Maine [Ms. SNOWE].

Ms. SNOWE. Madam Chairman, I thank the gentleman from Pennsylvania for yielding this time to me.

Madam Chairman, I am very pleased to join my colleagues today in consideration of the House passage of the 1991 amendments for the 13th reauthorization of the Older Americans Act of 1965. We are reaffirming our commitment to this landmark legislation which provides the only national network of services to assist the older population in their own homes and communities.

The bill before us today is the product of an extensive legislative process. In February 1990, under the leadership of Chairman DOWNEY, the Select Committee on Aging's Human Services Subcommittee of which I am the ranking Republican member, began oversight hearings to begin the process in preparation for this year's reauthorization. Since then, States, local area agencies on aging, service providers, constituents, aging organizations, and the administration have all contributed recommendations to Congress for the 1991 amendments to the Older Americans Act. This has resulted in a bill which reflects their suggestions and concerns—and the growing needs of a rapidly aging population.

I want to commend my colleagues, Chairmen FORD and MARTINEZ, and ranking Republican members GOODLING and FAWELL, and their able staffs on the House Education and Labor Committee, and the Human Resources Subcommittee, for their fine work in negotiating and drafting this comprehensive bill. I also want to especially thank the committee members who were very responsive in incorporating into this reauthorization the language

and intent of a significant number of the nine bills which I introduced to amend the Older Americans Act.

These bills of mine addressed a wide range of concerns: Services for family caregivers, collaborative community efforts for eldercare, equity for rural elderly, coordination of transportation services and preventive health services for osteoporosis and medication management.

Caregivers, as I have seen through my years of work on this issue, are in great need of our support. Family members, primarily female, provide 80 percent of the care and assistance needed by the frail elderly. This care is critical in allowing older individuals to retain their dignity and independence by remaining in their own homes. Providing this care is usually very rewarding, but also can be extremely stressful. For instance, this summer I visited in the home of a family who was caring for a mother who had Alzheimer's disease. The woman who was the primary caregiver told me that 4 days a week of adult day care for her mother-in-law was a godsend as it gave her some relief and time to catch up on normal activities. I introduced legislation to address part of this problem, so I am very gratified that H.R. 2967 authorizes a new program of supportive services for caregivers.

Madam Chairman, today 1 of every 6 Americans is age 60 or older. By the year 2030, this proportion will increase to more than 1 of every 4. Such a dramatic population shift will greatly increase the need for home and community-based care and services for older persons who are at risk of losing their self-sufficiency. I am pleased that the bill we are considering today includes the intent of my bill to mobilize cooperative community efforts to develop additional activities and resources to meet the escalating needs of the frail elderly and their caregivers.

In my State of Maine, 18 percent of the population is age 60 and over. My district is the largest east of the Mississippi and it is predominantly rural. Unfortunately, rural areas receive short shrift in many Federal programs, including elder services. That's why I am very glad that H.R. 2967 includes the intent of the bill I introduced to require State formulas for distributing Older Americans Act funds to take into account rural individuals' access to services. This provision should help rebalance the allocation of funding within a State to reflect the cost of providing geographical access to services for older individuals living in rural areas.

Transportation is also crucial, particularly in rural areas, if older persons are to get to the services they need. Better State and community coordination and consolidation of transportation services for social service programs are essential to eliminate dupli-

cation and stretch scarce resources. H.R. 2967 reflects a bill of mine by requiring that State and area agency on aging coordinate transportation services.

I also, Madam Chairman, want to thank the committee for adding a waiver provision for additional authority to transfer funds between the congregate and home-delivered meals programs. Because of geography, lack of public transportation, and the needs of frail elders, Maine invests more in home-delivered meals than any other State since it is the most practical way to reach elderly in rural areas. This waiver, although it is capped, is important in preserving State flexibility to design services to meet the special needs of its older population.

H.R. 2967 greatly expands part F, disease prevention and health promotion services, based on the initiative of Representative LOWEY. This section also includes provisions which I introduced regarding osteoporosis, including fall and fracture prevention. It also has provisions for medication management screening and education to prevent incorrect medication and adverse drug reactions. These are two very serious but preventable conditions of many older Americans, often resulting in painful and costly consequences.

Through the years, a perennial concern of Older Americans Act reauthorizations has been the status of the Commissioner on Aging and the organizational structure of the Administration on Aging within the Department of Health and Human Services. In August 1990, I requested a comprehensive study by the General Accounting Office to address these issues, including the capability of the Administration on Aging to fulfill its mission. Based in large measure on that study, language is in this bill which greatly strengthens the role of the Commissioner and the Administration on Aging.

The study also documented the shortfalls of the Administration on Aging's current data collection system, so I am pleased that H.R. 2967, in response, requires uniform data collection procedures for use by State agencies. Uniform data collection methods are badly needed in order to obtain valid information for evaluating both the effectiveness of and need for services under the Older Americans Act.

The committee should also be praised for the bill's strong new elder rights sections, particularly for the elder abuse and State long-term care ombudsman provisions. The Nation's vulnerable elderly are entitled to protection from abusive action and my colleagues, Representatives DOWNEY and ROYBAL, are to be commended for their leadership in this area.

Madam Chairman, for 26 years the Older Americans Act has developed from a program of small grants to one which supports a national infrastruc-

ture of 57 State agencies on aging, 670 area agencies on aging, 25,000 service providers, and 194 Native American grantees. The mission and responsibilities of the act have evolved greatly and expanded through the years into an increasingly complex and sophisticated system of home and community-based support services. Hundreds of thousands of older individuals depend on Older Americans Act services to help retain their self-sufficiency—such as home-delivered meals, transportation to a doctor's appointment or help with household chores. In addition, the Older Americans Act funds important training, research and demonstration activities in the aging field, and supports a low-income older worker community service employment program. Finally, I'm pleased that the White House Conference on Aging will be convened in 1993.

Today, the Older Americans Act is truly an evolving legislative success story, and I am pleased to have played a role in the 1991 reauthorization.

Mr. MARTINEZ. Madam Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. STENHOLM] for the purpose of engaging in a colloquy.

Mr. STENHOLM. Madam Chairman, I thank the subcommittee chairman for yielding time to me.

Madam Chairman, I commend the chairman of the subcommittee for including in the committee's en bloc amendment the provision which would permit rural service participants in the congregate and home-delivered meals nutrition programs to serve fewer than five meals per week. Like the chairman, those of us in rural areas feel it would be ideal if all providers had the resources and ability to provide five meals a week. Unfortunately, for a variety of reasons, that is not always feasible in rural areas.

Madam Chairman, like the chairman of the subcommittee, our providers want to assist older Americans to the greatest degree possible. Our feeling is that even if five meals are not possible, two or three or four meals a week can do immeasurable good, both nutritionally and socially. The desire to accomplish all the good that we can with limited resources led us to request this provision within the committee amendment.

Madam Chairman, my understanding is that the language included in the amendment means that providers in rural areas who demonstrate the infeasibility of five meals per week will no longer be required to create paper bureaucracies to give the illusion of providing five meals, nor will they need to submit to the Federal Government a yearly waiver request to provide fewer than five meals per week. Is this understanding correct?

Mr. MARTINEZ. Madam Chairman, will the gentleman yield?

Mr. STENHOLM. I yield to the subcommittee chairman.

Mr. MARTINEZ. Yes, that is correct.

Mr. STENHOLM. Madam Chairman, I thank the gentleman for that clarification, and again, I commend him and the committee for their leadership in this bill.

□ 1410

Mr. GOODLING. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. MILLER].

Mr. MILLER of Ohio. Madam Chairman, as we debate the reauthorization of the Older Americans Act of 1965, I rise to speak about the nutritional programs within the act that are near and dear to my heart. Adequate nutritional intake for the elderly is critical to their life and health. No other community service can make more of an impact toward the health and well-being of the elderly than nutritional services provided through such programs as the Older Americans Act.

Diseases commonly found in the older adult population that are possibly affected by diet include diabetes, hypertension, cardiovascular diseases, osteoporosis, and anemia. Increased research efforts have been targeted to identify the role of nutrition and diet in chronic disease prevention. However, after developing any one of these chronic diseases, and many elderly suffer from multiple chronic diseases, the need for food and nutrition in the form of diet therapy is now often used by the physician as the first method of treatment. If treatment is not successful with diet modifications alone, diet therapy becomes secondary only to drug therapy.

The importance of nutrition relative to well-being has been emphasized by many researchers and health professionals. Studies have shown that poor nutrition increases health problems, increases use of health care services, and thereby increases health care costs. In short, increased attention and resources paid toward the nutritional needs of older adults could very possibly contribute to a slowing in the rapid rise in future health care costs.

Recently compiled statistics from a preliminary evaluation of a community-based care demonstration project in Ohio, show that the No. 1 service needed and requested by the elderly is home delivered meals, and homemaker service—which can also include meal preparation. Adequate food and good nutritional status is critical to the life of the elderly, their health and their ability to stay in their home.

We talk about the independent elderly, usually referring to those who are not homebound, but let's not forget the numbers of elderly who even if they are functionally independent are not nutritionally independent. An Ohio survey found that the congregate meal is the only meal received by one-third of our elderly who participate in that program.

The demands for nutrition services placed on our service providers today are greater and often much different than 10 to 15 years ago. And the demands of the future will not diminish; they will not go away. We need Federal, State, and local nutrition program experts and lawmakers all sitting together at the nutrition policy and decisionmaking table to shape the plan for our nutrition programs for our elderly for the future.

Mr. MARTINEZ. Madam Chairman, I yield 2 minutes to the gentleman from [Mr. TRAFICANT].

Mr. TRAFICANT. Madam Chairman, I want to commend our chairman, the gentleman from California [Mr. MARTINEZ], the ranking subcommittee member, the gentleman from Illinois [Mr. FAWELL], as well as the gentleman from Michigan [Mr. FORD], and the gentleman from Pennsylvania [Mr. GOODLING], for this great bill. I also want to give credit to the gentlewoman from Ohio [Ms. OAKAR] for her efforts to protect the elderly from abuse, and also the gentleman from Pennsylvania [Mr. GEKAS], who has dealt with the specific issue of foreclosure for our seniors.

Madam Chairman, I rise today and would say that with some of the things we are talking about with the peace dividend, would also like to see us take a piece of advice from the gentleman from California [Mr. ROYBAL], and look at the notch baby issue, which is the No. 1 issue that seniors talk to me about in my district.

Madam Chairman, this is a great bill, and I really support it. I rise today in conjunction with this bill to pay tribute to the director of our area agency on aging who is retiring, Martha Murphy. She was always available, always had the time, and developed a coordinated delivery system, where seniors always had advocacy and were treated as they should be, with the type of priority they deserve. Martha was a bulldog, and it is going to be very, very hard to replace her in that position.

Madam Chairman, I think this is a tribute today to Martha Murphy and the efforts she has done, and to this particular committee, who has done a fine job in presenting us with a fine bill.

Mr. GOODLING. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Madam Chairman, I thank the gentleman from Pennsylvania for yielding time to me.

Madam Chairman, I rise in support of the reauthorization of the Older Americans Act.

Earlier this year, I testified before the Human Resources Subcommittee to request that the number of frail elderly individuals be a key factor when Older Americans Act funds are distributed throughout the States and I am pleased that the committee has agreed to in-

clude language in the bill to assist the frail elderly.

Pasco County and Pinellas County, FL, both located in my congressional district, together, have one of the highest concentrations of frail elderly individuals in the Nation. Over the past several years, I have become familiar with the lifestyles of the frail elderly who have difficulty in performing everyday tasks such as bathing, cooking, or cleaning. It is not uncommon for these seniors to depend heavily on family members.

In Florida, though, there are many disabled seniors living alone and desperately in need of assistance. Otherwise, they would face institutionalization, which is not only a financial drain on the individual but in many cases, on the American taxpayer as well.

In March 1990, the House Select Committee on Aging conducted a hearing in my congressional district to discuss the needs of the frail elderly. The general consensus of the hearing was this: If more Federal and State dollars were channeled to services such as Meals on Wheels, adult congregate dining and adult day care, more frail seniors could continue to live independently instead of spending the rest of their lives in a long-term care facility.

Under current law, each State is required to develop an intrastate funding formula for allocating Older Americans Act funds for its planning and service areas. The bill before us today requires that each State consider certain statistics on individuals over 60 years of age when developing the formula. The formula will be based on the number of low-income older individuals, low-income minority seniors, and frail elderly individuals that reside in the State.

In addition, it directs the Commissioner of the National Agency on Aging to carry out a program to provide supportive activities for family members or other caregivers who provide in-home services to frail older individuals. These programs may include training and counseling for caregivers, assistance in forming support groups for elderly caregivers and they may provide information on how to obtain in-home services and respite services.

Finally, I wish to express my gratitude to subcommittee chairman MATTHEW MARTINEZ, ranking Republican HARRIS FAWELL, and Congressman TOM DOWNEY along with their fine staff members for their assistance regarding the frail elderly. I will continue to support their efforts on the Older Americans Act in order that seniors across the country will continue to reap the benefits of these essential programs and services.

Mr. MARTINEZ. Madam Chairman, I yield 3 minutes to a member of the committee, the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Madam Chairman, I rise today in strong support of H.R. 2967,

which reauthorizes two important laws that affect two very special segments of our population—the Older Americans Act and the Native Americans Programs Act.

For over 25 years the Older Americans Act has helped provide essential nutritional, health, employment and support services that allow older Americans to lead healthy, fulfilling, independent lives.

Older Americans are an important part of the American community. Today there are over 41 million older Americans in our Nation, and the numbers are likely to increase in the future. Providing services such as in-home meals, recreational activities and part-time employment helps to ensure that the elderly of our Nation continue to be active participants in our communities.

H.R. 2967 reauthorizes the Older Americans Act for the next 3 years. It increases funding level for the act by 4.8 percent above the current \$1.7 billion to meet the rising demand for services among our Nation's elderly.

H.R. 2967 will continue such proven programs as Meals on Wheels and establishes new innovative opportunities, such as intergenerational programs that allow younger generations to interact with and learn from older Americans.

In line with the original purpose of the Older Americans Act this bill continues to focus efforts on serving the senior population in greatest social and economic need. Specifically changes have been made to ensure that minority individuals are adequately served, increase coordination of services at the State and local levels, enhance the coordination of employment training and supportive services and expand current disease prevention and health promotion services.

Madam Chairman, title VI of this bill is of particular importance to me because it provides grants for an important population of my constituency, native Hawaiians. Since 1989 native Hawaiians have received funding under the title VI of the Older Americans Act to provide statewide nutrition, health, education and support services for elderly native Hawaiians.

This program, known as Ke Ola Pono No Ka Kupuna [Good Health and Well Being for our Elders], provides services for 526 native Hawaiians, including traditional Hawaiian meals; culturally relevant recreation and health education programs; and information on social resources, legal services and general education.

Like many of the cultures that make up the American society, the Hawaiian culture reveres and honors its elders. The services provided through the Kupuna program in Hawaii allows the native Hawaiian elders to cope with the changes in their society and to pass along the traditional ways of the Hawaiian people to younger generations.

H.R. 2967 makes an important change in the funding mechanism in title VI to ensure that native Hawaiians will receive a fair share of the moneys under title VI. Under current law native Hawaiians are eligible for title VI funding only if the appropriations exceed fiscal year 1987 levels. Because of this conditional funding mechanism, 1989 was the first year that native Hawaiians were eligible for title VI funds. Without a stable funding formula it has been difficult to plan for continued and expanded programs in the native Hawaiian community.

This bill eliminates this unfair funding requirement and native Hawaiians will receive 10 percent of the title VI funds every year, regardless of appropriations level.

Madam Chairman, I am also in strong support of the reauthorization the Native Americans Programs Act, which provides important programs for the economic, social, and physical well-being of the native Hawaiian population in my State.

The Native Americans Programs Act offers grants and contracts to eligible native American and native Hawaiian entities to increase employment opportunities, business development, strengthening self-government and self-sufficiency, and for construction and renovation of housing units.

The changes offered here today strengthen the act by providing the native American and native Hawaiian organizations the desperately needed technical assistance to plan, implement and evaluate programs.

H.R. 2967 also strengthens some of the most successful programs under the act, including the native Hawaiian revolving loan fund, which provides loans for small businesses and enterprises in the native Hawaiian communities. First established in 1988 as a \$3 million demonstration project, the native Hawaiian revolving loan fund has provided the capital for 62 small businesses in the Hawaiian community, including a variety of enterprises from a music school production/promotion business to a poha berry farm.

H.R. 2967 makes the native Hawaiian revolving loan fund a permanent program under the Native Americans Programs Act and expands the loan to a \$5 million program by authorizing an additional \$1 million from the Federal Government and a matching \$1 million from the loan administrator.

Planting the seeds of growth and self-sufficiency in the native Hawaiian communities across our State, the native Hawaiian revolving loan fund is an outstanding example of how government can help people help themselves.

And Madam Chairman, that is the very goal of H.R. 2967, to assist and support the elderly and the native populations of our country to continue to be vital, productive, and an essential part of the American community.

I urge Members to vote for H.R. 2967.

□ 1420

Mr. GOODLING. Madam Chairman, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Madam Chairman, I rise in enthusiastic support of the reauthorization of the Older Americans Act.

Since 1965, older Americans have benefited greatly from the programs that are administered on the local level through, in New Jersey, the county offices on aging, and I am sure, around the country in agencies that mirror what we have in New Jersey.

The programs that have been administered that have been so beneficial include legal counsel, home delivered meals, employment counseling, and many other programs which are currently in place that have been a tremendous success.

During the past 5 weeks I have had the opportunity to spend an inordinate amount of time talking with older Americans, groups of older Americans, older Americans' organizations and representatives from the community generally. And to the extent that this bill expands those programs which are beneficial, I believe all of us should offer that much more support for it.

I in particular make reference to the provisions of the separate bill that was introduced by the gentleman from New Jersey [Mr. HUGHES], my good friend and colleague, and was pleased to become a cosponsor of his bill which provided for expansion of the Older Americans Act to provide programs in health-risk assessment, routine health screening, nutritional counseling and other items that are intended to maintain a good level of help and helpful programs for older Americans.

As has been pointed out by a number of previous speakers, these programs are not only helpful to individual members of the older American community, but are also of benefit to us all because the more we concentrate on keeping people healthy, the less we have to concentrate on funding those very expensive programs that are designed to help them after they have become less healthy.

To the extent that this bill includes those provisions, I offer my enthusiastic support.

Mr. MARTINEZ. Madam Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Madam Chairman, I thank the gentleman for yielding time to me.

I want to salute the gentleman and his colleagues in the committee for a job well done and to suggest that during the recess I was back home and met with the Forum on Older Persons' Issues for Louisville and Jefferson County. They were very much devoted to

the idea of reauthorizing the older Americans bill. They have many programs matching the ones authorized by this bill: job counseling programs, employment training programs and nutritional programs which, of course, are very important to senior citizens.

I was very happy to see in this bill a requirement, not just a calling but a requirement, that there be a White House Conference on Aging. Going back to the 1950's, when these conferences first began, from them have come Medicare, Medicaid, and the Older Americans Act itself. And I have reason to think that fruitful discussions held at the national level among people working with the senior citizens would be able to achieve, again, some ideas which could be implemented in the form of legislation.

So I am happy that the committee chose to require this conference and I salute the work that it has done on H.R. 2967 and certainly rise in behalf of the bill.

Mr. GOODLING. Madam Chairman, I reserve the balance of my time.

Mr. MARTINEZ. Madam Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY of New York. Madam Chairman, I would like to commend Chairman MARTINEZ and ranking member FAWELL for the fine job that they have done in crafting a reauthorization bill that will truly be of great benefit to senior citizens all across this Nation.

This bill, H.R. 2967, of which I am an original cosponsor, will significantly strengthen the Older Americans Act by authorizing funding for successful existing programs and necessary new initiatives.

Throughout the entire reauthorization process, the chairman and ranking member's strong commitment to our Nation's senior citizens has been self-evident. The bill before us today clearly reflects their hard work and devotion to their cause, and I want to congratulate them for a job well done.

I am especially pleased that the bill incorporates several important new initiatives which I have advocated.

First, the bill includes the language of the Older Americans Health Promotion and Disease Prevention Act, H.R. 1739, which I introduced to significantly increase access to and participation in health promotion and disease prevention services.

The subcommittee's hearings made it clear that older Americans are able to benefit significantly from health promotion and disease prevention services. Moreover, at a time when health care costs continue to skyrocket, a strong emphasis on preventive health programs can cut health care costs significantly in the long run.

I believe the expansion of preventive health programs is an essential direction for the Older Americans Act to

take at the present time, and I am extremely pleased that this important initiative has been incorporated into H.R. 2967.

Second, this reauthorization bill makes clear that title III supportive services may include information and counseling regarding private pension rights, and it contains a key new demonstration project aimed at creating models for expanding information and counseling services for older Americans regarding their private pension rights.

These amendments are of great importance. Many older Americans—particularly surviving spouses—have little or no understanding of their private pension rights, and do not have anywhere to turn to get this essential information. I am hopeful that these new provisions of the act will help make a difference—by shedding much-needed light on this complex and difficult subject, and by creating models for the provision of more comprehensive pension-related services in the future.

I would like to make one comment with respect to the new requirements contained in today's bill with respect to public/private partnerships. I agree with the chairman and others who are concerned that we must clearly preserve the public mission of area agencies on aging that choose to enter into public/private partnerships, and I understand the impetus for establishing clearcut rules in this area.

However, I also believe that the evolution of formalized public/private partnerships is a positive development in our efforts to meet the needs of older Americans. Therefore, I am pleased that the report accompanying the bill makes clear that the amendments are not intended to stifle the development of public/private partnerships, but only to ensure that the public mission of triple A's is not in any way compromised.

In my own district, a new public/private partnership is now taking shape that will provide enhanced services for all local residents. I believe that such ventures should be encouraged, and if we find at any stage that they are being impeded by unnecessary regulation, we should take steps to remedy the situation.

Madam Chairman, the Older Americans Act sets forth important goals for our Nation—goals of providing our senior citizens with lives of freedom, opportunity, and dignity. I am convinced that the bill before us today will move our Nation significantly closer to meeting these goals, and I am proud to strongly support it. I urge all of my colleagues to do so as well.

Mr. GOODLING. Madam Chairman, I yield 3 minutes to the distinguished gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Madam Chairman, I am pleased to rise in support of H.R.

2967, the Older Americans Act Amendments of 1991.

I commend the gentleman from California [Mr. MARTINEZ] for introducing this important measure, and the distinguished chairman of the Education and Labor Committee, the gentleman from Michigan [Mr. FORD] and the ranking minority member, the gentleman from Pennsylvania [Mr. GOODLING] for their unceasing efforts on behalf of our Nation's senior citizens.

H.R. 2967 amends the Older Americans Act of 1965 to authorize appropriations for fiscal years 1992 through 1995. The Older Americans Act of 1965 established a Federal Program to meet the social services needs of older people, particularly low-income individuals and minorities.

This important measure authorizes a total of \$2.1 billion in fiscal year 1992, \$2.2 billion in fiscal year 1993, \$2.4 billion in fiscal year 1994 and \$2.5 billion in fiscal year 1995, for all Older Americans Act administration, research, and services programs for the elderly. Additionally, nearly 70 percent of the funding is for grants to State and area agencies on aging, for support and nutritional services and multipurpose senior citizens centers.

The nutritional services in this measure are provided through several significant programs:

First, \$505 million for congregate meals.

Second, \$120 million for home delivered nutrition services, or Meals on Wheels.

Third, \$15 million for school based meals for older individuals.

This important measure also establishes a new significant program to support caregivers who provide important in-home services to frail elderly. Additionally, H.R. 2967 establishes a National Ombudsman Resource Center, a National Center on Elder Abuse, and a National Commission on Board and Care Facility Quality.

Madam Chairman, senior citizens make up approximately 34.9 million of our population, and this number is growing steadily. The problems that senior citizens are confronting will eventually be faced by the whole population. By supporting H.R. 2967, a clear message is being sent to our Nation's senior citizens that Congress does care.

Accordingly, I urge all of my colleagues to give full support to this vital measure.

More specifically, fiscal year 1992 authorizations include funding for: support services, congregate meals, home-delivered meals, the Surplus Commodities Nutrition Program, the Community Service Employment Program, two in-home and frail elderly care programs, and the State Long-Term Care Ombudsman Program.

To improve the administration of the Older Americans Act, H.R. 2967 places the Administration on Aging [AOA] di-

rectly under the Secretary of Health and Human Services, increases data collection activities, and clarifies criteria for intrastate funding.

□ 1430

Mr. MARTINEZ. Madam Chairman, I yield myself as much time as I might consume in order to respond to several Members who have made inquiries and who would have liked to have been on the floor but were not able to be because of other important business.

First of all I would like to respond to the gentlemen from Texas, Mr. DICK ARMEY and Mr. CRAIG WASHINGTON. I had a request from them to clarify whether the Older Americans Act prohibits local coordination of senior services.

I am most pleased to respond to the gentlemen from Texas that it is my understanding there is nothing existing in the law itself or in these amendments that would prohibit States from coordinating program services for senior citizens within their States. In fact, in our amendments we encourage greater coordination of services within the States to provide older Americans services. So I would say to them that there is nothing in the law that prohibits that.

Another Member that I would like to respond to who would have liked to have been here is the distinguished gentleman from New Jersey [Mr. ROE]. In his inquiry he asked me to clarify the definition of counseling and its interpretation in the Older Americans Act. Mr. ROE has made this request because H.R. 2967 amends the Older Americans Act to enlarge the delivery of counseling services to older Americans.

For the purposes of honoring Mr. ROE's request, I will assist him by submitting him an agreed upon definition of counseling in the conference committee for clarification in the conference language to accompany H.R. 2967. I commend the gentleman from New Jersey for his advocacy on behalf of our Nation's senior citizens.

Madam Chairman, I reserve the balance of my time.

Mr. GOODLING. Madam Chairman, I yield myself what time I may consume.

Madam Chairman, first of all I would add to what Chairman MARTINEZ has just said. As a matter of fact, in the legislation, we do everything possible to encourage, if not insist, on coordination.

I would add that it is always a joy to come to the floor of the House with a piece of legislation where everybody is getting up and saying how wonderful it is on both sides of the aisle. It must be awfully good because we did not have anyone object thus far. So it is truly a joy to bring legislation that was very, very beneficial to those who need us very much at this time and who have given so much to us in the past.

Madam Chairman, I yield back the balance of my time.

Mr. MARTINEZ. Madam Chairman, in closing, let me say that I, too, echo the remarks of my colleague, the gentleman from Pennsylvania [Mr. GOODLING], in that in this bill all sides have participated in a bipartisan manner. We want to especially thank the administration for their advocacy and their willingness to work with us and to compromise on language in the White House Conference on Aging and the different various aspects of the bill.

I must commend the staff, the minority staff, for the excellent work and diligent work they did in fashioning this piece of legislation. We all, I think, agree that what we want is a more efficient act that would provide services in a much more expedient manner to seniors, and, of course, we really want to emphasize that, although we have done all of these things, there is really still a desperate need to increase the money to provide for the services to older Americans.

Madam Chairman, I yield my remaining 30 seconds to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. GOODLING. Madam Chairman, I also yield 30 seconds to the gentleman from Arkansas.

The CHAIRMAN. The gentleman from Arkansas [Mr. ALEXANDER] is recognized for 1 minute.

Mr. ALEXANDER. Madam Chairman, I rise in strong support of H.R. 2967.

The services provided under the Older Americans Act allow many of our senior citizens to live better lives than would be possible otherwise.

I have seen the difference these programs make throughout my district.

Nutrition services—including Meals-On-Wheels—provide good, healthy, and well-balanced meals for people who might not have them otherwise.

Green Thumb provides jobs that would not be there without the program.

Transportation is provided for those who have none—helping access medical and other services critical to older Americans.

I have been honored to participate in the dedication of a number of Green Thumb projects in the First Congressional District of Arkansas—projects which make our communities better.

It is inspirational to see the pride of workmanship displayed by those employed through Green Thumb.

During the last 6 months of 1990, Green Thumb paid more than \$1 million in wages and provided almost 300,000 man-hours of labor in rural Arkansas.

For many it made the difference—allowing them to live life with dignity instead of just barely getting by, or not getting by at all.

Madam Chairman, I am particularly proud of Green Thumb since an Arkansan, Lewis "Red" Johnson, was an

early and consistent supporter of this most worthwhile program.

"Red" Johnson was a person who saw government as a vehicle to help people live better lives. And that is not an antiquated concept.

It's a guide which is as fresh as today's sunrise.

Because of "Red" Johnson, Arkansas was one of the first States in the Nation to offer employment opportunities to older Americans through the Green Thumb Program.

It was December 23, 1965, that 280 positions were authorized for Arkansas, Minnesota, New Jersey, and Oregon.

The program has had but one goal—making life better for those in their twilight years—and it has been successful.

Services offered under the Older Americans Act are vital, and should be expanded.

Madam Chairman, I firmly believe that instead of writing off debt owed to America by foreign countries, we should be collecting those debts and investing that money in expanded services for our own people.

I support this reauthorization, I congratulate those who work to provide these services, and I am grateful they are there to assist older Americans.

Madam Chairman, I wish to congratulate the chairman of the committee for the fine work they have done, and I thank the gentleman for yielding time to me.

Mr. FRANKS of Connecticut. Madam Chairman, today, the men and women who built this country into the greatest nation on Earth are attempting to live through the twilight of their years as productive, independent, and healthy citizens.

That is why I rise in strong support of H.R. 2967 which will strengthen and expand the vast array of services to the senior citizens of our country.

As Americans, we take pride in helping one another in times of need. Our society is built on the strong bonds of community and those bonds stretch from the early days of infancy to the proud years of retirement and reflection.

For many older Americans, there is a demonstrated need to provide care and assistance to senior citizens who are trying not to be a burden to their families and society.

These men and women, who fought fascism abroad, who kept our factories running, who built cities and towns, who made our world full of promise and hope for their children, merely want to live their lives without fear of want.

It is our duty as their children and fellow countrymen to support programs that not only assist those who have basic human needs, but those that bind generations together.

H.R. 2967 does that, and as a member of the Aging Committee I am encouraged by the commitment to programs under the act that have a strong record of accomplishment, and new emphasis on problems which have plagued our society for generations—especially elderly abuse.

Elderly abuse has been the silent shame of this country for many years. We all know it ex-

ists. We see its results rather than cure the symptoms and we watch as it denigrates not only the senior citizen, but their families and our society.

I have heard of stories of abuse from senior care providers in my district and State. Their tales are sad, but even more discouraging is the fact that we still know very little about the volume and scope of abuse and neglect of our senior citizens.

While many volunteer care givers, police officers, and family members are doing their best to recognize cases of abuse and neglect, we are still in the dark on how to recognize its symptoms and deal with its causes.

That is why I believe the \$15 million proposed for abuse prevention programs is a good start to tackle this troubling problem.

These funds will not solve the problem of exploitation and abuse. They will not provide a cure for the deep pain and suffering of our seniors who either neglect themselves or who are unable to resist being compromised.

But it will send a message that the children and grandchildren of those who made our country full of promise will not see their parents' hard work fade into the darkness of despair.

The framework of the Older Americans Act is still strong. It will continue to provide hot meals at senior centers, meals on wheels to the homebound, transportation for medical and social needs, and jobs for those who want to supplement their incomes and add to the quality of our work force.

We should all be encouraged by the rich tapestry of services provided under the act and seek to improve the Older Americans Act with more private involvement.

Already, those who benefit from many programs voluntarily contribute to title III programs through donations. There are also thousands of volunteer care givers who spend hours and days making the lives of our seniors more productive and fruitful.

We must continue to seek new private resources to maintain and expand our commitment to senior citizens.

Mrs. LLOYD. Madam Chairman. I speak in strong support of H.R. 2967, the Older Americans Act amendments of 1991, which includes a number of improvements and innovations, while preserving the solid foundation of current programs and goals.

This legislation reflects the genius of many of our colleagues and the superb leadership that Chairman Martinez has provided. Mr. MARTINEZ has in his premiere year as chairman of the Subcommittee on Human Resources done an outstanding job. I also want to commend the work of Chairman FORD and Mr. KILDEE who has an exceptional record of advocacy for the Older Americans Act [OAA]. H.R. 2967 includes so many excellent provisions that I will only comment on a few during my remarks today.

The OAA is now over 25 years old and it is, by almost any measure, a grand success. It has provided supportive services, congregate and home-delivered meals, community service employment, transportation, and advocacy for millions of older adults. Almost everyone has friends or relatives who have benefited from OAA services which are made available to anyone over the age of 60.

This year's \$1.7 billion reauthorization includes a number of exciting new programs and higher authorization levels for existing programs, but the Older Americans Act is not without problems. Congress has created so many mandates with the OAA that the aging services network constantly struggles to do all we have asked it to do with inadequate funding. Laws like the OAA flourish and grow by adding innovative programs that address current service needs, but each year the appropriations levels are barely enough to provide current service levels. This needs to change and our financial commitment to the OAA must be strengthened if we are to serve our aging population.

Madam Chairman, I would like to speak briefly about a program that I created, the School-Based Meals for Older Individuals and Intergenerational Programs Act, which has been included in this year's reauthorization. I had two primary reasons for developing this legislation. First, we need to provide more congregate and home-delivered meals to older individuals. There are millions of older persons who could benefit from nutritious meals, but the meals are simply not available to them. Second, I believe that intergenerational programs are critical to our future. We must unite the young and the old to enable them to exchange ideas and to assist one another in coping with the demands of our complex world.

This legislation will expand the Meals Program authorized under title III by creating a new congregate meals program for older Americans in elementary and secondary schools, which will be linked to intergenerational programs between students and older adults. This program has been funded at \$15 million, and I believe it will make more meals available to seniors, while at the same time, providing an excellent opportunity for them to improve their self-esteem and make a major contribution to the educational process of our youth. Older Americans will contribute their unique knowledge, talent, and sense of history through roles as tutors, teacher aides, living historians, special speakers, and in other volunteer support roles.

I owe a great deal of gratitude to my distinguished colleague on the Aging Committee, JOLENE UNSOELD, who offered this program as an amendment to H.R. 2967 during full committee markup. I thank her, and Ken Camper, director of the Spice Program in Seattle from which this legislation was modeled.

Madam Chairman, H.R. 2967 also increases the per meal reimbursement that service providers receive from the Department of Agriculture from the current 56.76 cents to 65.66 cents per meal. This will help meal providers who have had to cut back programs in the past when reimbursement did not keep up with inflation. Funding levels for the Congregate and Home-Delivered Meals Programs have also been increased to \$435 million and \$120 million respectively, and this is also a positive move.

Madam Chairman, although the House bill directs area agencies on aging to work with nonprofit housing entities to better serve residents, and does address several other housing-related issues, I am hopeful that two housing demonstration programs, H.R. 2953 and

H.R. 2954, that I wrote, will be included in the final version of H.R. 2967 when it comes out of conference committee. H.R. 2953, the Housing Ombudsman Act of 1991, would create a \$1 million demonstration to provide advocacy, similar to that provided by the Long-Term Care Ombudsman Program, for residents of assisted housing projects. H.R. 2954, the Supportive Services in Housing Act of 1991 is a \$4 million demonstration to enable the aging network to better target services to frail, low-income, older individuals, who live in federally assisted housing. We know that premature and unnecessary institutionalization can be prevented with supportive services, and this program would provide the network with an opportunity to show how effectively they could coordinate those services when they are provided with additional resources.

These housing demonstrations have been included in the Senate version of the OAA reauthorization by Senator ADAMS, and I ask the Members of the House to support these important initiatives in conference.

There are many other very positive elements of this year's reauthorization bill, Madam Chairman. It increases title V, the Community Service Employment Program, which is one of the many Older Americans Act programs that enables older individuals to maintain their independence. At a hearing that I conducted in Oak Ridge this year, we received strong testimony that the administration's proposed cutbacks in this program would hurt many Tennesseans. H.R. 2967 increases funding for this critical program from \$448 million to \$470.5 million.

During another hearing that I conducted last year in Chattanooga, I heard firsthand the stories of so many care givers who are at their wit's end trying to care for older, frail relatives. This bill provides funds for a new program for supportive activities for care givers of the elderly. These will include respite for the care givers, counseling, and training. This new program has been funded at \$15 million. I think it is an excellent start toward addressing the needs of the millions of care givers in our Nation, most of whom are women.

H.R. 2967 also improves the long-term Care Ombudsman Program which serves to advocate for the rights of nursing home residents. The bill creates a National Ombudsman Resource Center and an Office of the Federal Long-Term Care Ombudsman, headed by a Federal Long-Term care ombudsman. This will add a great deal to the ability of this vital program to work in behalf of nursing home and board and care home residents.

Finally, this bill mandates a White House Conference on Aging be held in 1993, and ensures that the Congress will have a role in determining the critical issues that will be addressed. Congratulations must go out to my distinguished colleagues on the Aging Committee, Mr. DOWNEY, for his diligent efforts to push for a conference and involve Congress in its content development.

Mr. HALL of Ohio. Madam Chairman, I rise in strong support of H.R. 2967 and applaud the efforts of the distinguished chairmen of the Education and Labor Committee and the Human Resources Subcommittee in crafting a bill that is both fiscally responsible and sen-

sitive to the needs of one of our most vulnerable populations.

I am particularly pleased to note that the bill before us today incorporates a provision from the Freedom from Want Act, legislation I introduced earlier this year, which increases the commodity reimbursement rate for senior meal programs by almost 9 cents per meal. This represents the first adjustment in the rate since 1986.

Today there are more than 30 million Americans 65 years of age or older. One in four has an annual income below \$10,000. They are the single largest demographic group most likely to be at nutritional risk. One in five skips at least one meal each day. Many of these seniors rely heavily on the meals they receive through either the Congregate or Home-Delivered Meals Programs.

For many, this isn't just a good assistance program—the benefit of participation goes beyond the meal itself. The program offers a link to the world outside their front door. Sometimes it is the one factor that keeps them out of nursing homes and in their own homes.

The Select Committee on Hunger, which I have the privilege of chairing, recently conducted an examination of hunger and poverty problems in Appalachian Ohio. While there, we visited the home of Mrs. Mabel Kiraly. Mabel is 75 years old. She lives alone in the same house that she was born in on a \$306-per-month Social Security benefit. She had a fall a few months back and now she needs a walker to get around. Her house sits on the side of a steep hill and, I'll tell you, it's a pretty tricky climb up to the front door. Through the Meals on Wheels Program operated by the local community action agency, Mabel gets a prepared lunch Monday through Friday and two frozen meals to carry her through the weekend. She told us that she depends on this food.

After we left Mabel's house, we were told that, due to inadequate funding, Mabel was one of the many seniors in the area in jeopardy of being cut from the program.

More than 245 million meals were served under the elderly nutrition programs last year, but many meals providers have had to curtail services because of inadequate support. Without additional relief, many more will follow suit. When we start to see a decline in the number of meals served, we are going to have to remember that these numbers represent people. They represent Mabel Kiraly in Glouster, OH, or Ted Jones and Mary Brown in your own congressional district.

The reimbursement increase in H.R. 2967 will keep those meals coming. It will restore services to those whose participation has been terminated. And, for the future, it will assure annual adjustments for inflation so that programs have the resources to keep pace with the true cost of providing each meal.

Madam Chairman, times are hard. But, it is imperative that we continue to adequately support programs and services which have consistently proven to be both efficient and cost effective. The Nutrition Program for the Elderly is such a program. By passing the bill before us today we will help to protect the nutritional well-being of one of our most vulnerable populations.

Mr. FORD of Tennessee. Madam Chairman, I rise in support of the Older Americans Reau-

thorization Act. This act is now 26 years old, and in this past year alone has provided more than \$1.3 billion in supportive services, nutritious meals, transportation, home care, adult day care, elderly abuse prevention, nursing home quality assurance, and legal services.

As we enter the 21st century, we are faced with a growing population of elderly. We as a civilized nation should assume the responsibility to take care of our senior citizens. The Older Americans Act is the primary vehicle in which we do this.

It is the primary vehicle in which we promote the independence and dignity of our elderly, and acknowledge all they have contributed to our society.

For African-Americans, the problems and hardships accompanied with the aged are more far-reaching and more complex than the total population.

Poverty hits aged African-Americans especially hard and is the primary cause of poor health and the high incidence of disease.

Figures from the 1990 census, show that 44 percent of African-Americans 65 and over live below 125 percent of the poverty line. This statistic is especially shocking when measured against the percentage for the total population of senior citizens which is only 19 percent.

Addressing the needs of the African-American elderly is a unique and challenging problem facing this country's leaders as they attempt to manage an aging society. So often the solution to problems seem far beyond our reach. Yet we believe there is hope for the future.

The Older Americans Act is a solution to the problems we face in providing adequate services to the elderly. This legislation provides better accessibility to health care, nutrition, and community based services.

It is my sincere hope that the day is fast approaching when no elderly person, black or white, will have to live with the threat of exclusion from services that should be offered to all Americans. I urge my colleagues to give their full support to legislation.

Mr. ROE. Madam Chairman, I would like to take this opportunity to thank my good friend from Michigan the distinguished chairman of the Education and Labor Committee, Congressman BILL FORD, the ranking minority Congressman GOODLING, and Congressman MARTINEZ, chairman of the Subcommittee on Human Resources and the ranking minority of the subcommittee Congressman FAWELL, for all their hard work on this critical reauthorization of the Older Americans Act.

I would also like to commend Congressman EDWARD ROYBAL, chairman of the House Select Committee on Aging, and the ranking minority member on the select committee, my distinguished colleague from New Jersey Congressman MATTHEW RINALDO, who worked diligently with both the select committee staff and the staff of the Subcommittee on Human Resources to bring forth one of the most comprehensive reauthorizations of this legislation. Chairman ROYBAL's numerous hearings with the Select Committee on Aging have served invaluable for information on the status of our Nation's older Americans.

This bill will reauthorize those important programs and services that our Nation's seniors have grown to rely on over the years:

First, the supportive services in senior centers in our district neighborhoods. Which include gerontological counseling services for the purpose of teaching senior citizens about better health care, proper nutrition, educational opportunities, welfare, and recreation.

Second, the congregate and home-delivered meals which reach many of our constituents 5 or more days a week. They provide well balanced and nutritional meals to those who have difficulty preparing their own meals 3 times a day 7 days a week.

Third, the community service employment programs which enable our senior population to continue to contribute to their local communities, and to learn new jobs and tasks. Many times their contributions serve extremely useful to the general welfare of our communities. I know in my own district in New Jersey, the older citizens are always the first to offer their assistance when an extra hand may be needed in the community.

Fourth, and finally, this legislation will reauthorize the training, research and demonstration grants which have been essential in helping Congress directly monitor the condition of our Nation's seniors and the state of programs serving our older Americans. I commend the committee on the development of a much needed Elder Abuse Prevention Program under this section, designed to prevent the abuse, neglect or exploitation of older persons; second the establishment of multigenerational demonstration programs which will allow the elderly the ability to participate in multigenerational activities such as advisers in child care, juvenile delinquency treatment, educational assistance, and family support programs; and notable grants instituted at colleges and universities to prepare students for careers in the field of aging. All of these programs will continue to assist in the delivery of supportive social services to older persons.

The programs of the Older Americans Act authorize these wide array of programs through the network of 57 State agencies on aging and 670 area agencies on aging, and native American grantees. These individuals who have worked as geriatric counselors and within the human development fields have developed an expertise within their profession. It is this profession of gerontological counseling that recently has been recognized as an important element in the carrying out of the programs under this legislation.

In June 1990, under the administration of the National Board of Certified Counselors, an important certification process for gerontological counselors was established. With these new changes occurring within this expanding profession, it became necessary to clarify the terminology of gerontological counseling in the Older Americans Act. I look forward to engaging in a colloquy with the subcommittee chairman, Congressman MARTINEZ later in debate to discuss this specific matter.

I would at this time like to thank the collaboration of the American Association of Counseling and Development and its affiliates nationwide, they have been extremely helpful in educating me on the profession of gerontological counseling and the need for expanding these services in our communities.

Once again, I thank the Members and their staffs for their hard work on this legislation

and the opportunity to work with them to ensure that our Nation's seniors are provided services by individuals certified to perform these essential programs.

Madam Chairman, thank you again for affording me this opportunity to speak on such a vital piece of legislation.

Mr. WEISS. Madam Chairman, I rise in strong support of H.R. 2967, the Older Americans Act amendments. The Older Americans Act, initially conceived and enacted in 1965, paved the way for creation of community-based programs and services intended to improve the quality of life for our older citizens. Over the years, through several reauthorizations, we have continued our commitment to this legislation and the seniors who it impacts.

H.R. 2967 includes \$439.4 million in fiscal year 1992 and "such sums as may be necessary" in fiscal year 1993 through 1995 for the supportive services and senior centers of the Older Americans Act. More specifically, the measure reauthorizes congregate and home-delivered meals, community service employment programs, training, research, demonstration grants, and Indian programs.

The measure creates a new program providing supportive activities for caregivers for frail seniors, as well as a program to provide meals in elementary and secondary schools for older individuals that will be linked to intergenerational programs. It also authorizes demonstration grants for programs to prevent foreclosure and eviction of the elderly and to prepare individuals for careers in the field of aging.

The Nation's seniors desperately need assistance from the Federal Government. State officials around the country are finding it difficult to keep pace with the increasing costs and demands for services. This legislation, coming to us on the 25th anniversary of the Older Americans Act, strives to strengthen our national policy toward successful aging. I urge my colleagues to support its passage.

Mr. BORSKI. Madam Chairman, I rise in support of H.R. 2967, the Older Americans Act amendments. I would like to commend Chairman FORD of the Education and Labor Committee and Chairman MARTINEZ of the Human Resources Subcommittee for their work on this important legislation and their dedication to the needs of the elderly.

The Older Americans Act [OAA] was enacted in 1965 to organize and deliver supportive, nutritional, and other social services for the elderly. While this important law provides vital services to the elderly, it needs to be expanded and strengthened. H.R. 2967 accomplishes this goal by reauthorizing successful supportive programs—such as congregate and home-delivered meals—and creating new, innovative services to support in-home caregivers and nationally monitor long-term care service delivery.

H.R. 2967 also authorizes \$470.5 million for the Senior Community Service Employment Program [SCSEP], which creates jobs for thousands of low-income senior citizens nationwide. Earlier this year, the Bush administration's budget proposal for fiscal year 1992 requested a \$47.5 million cut for SCSEP, which, if enacted, would have resulted in a loss of 7,800 job slots. I am encouraged to see that H.R. 2967 calls for full funding for this cost-effective employment program.

In addition, H.R. 2967 changes current law to require—instead of allow—the President to convene a national conference on aging in 1993. As you know, White House Conferences on Aging, which have contributed significantly to Federal policy on aging, have been held in 1950, 1961, 1971, and 1981. Contrary to the intent of OAA, the President did not convene a conference in 1991. H.R. 2967 will ensure that this important forum is held to focus national attention on the issues that affect all senior citizens.

Madam Chairman, as a member of the Select Committee on Aging, I recognize the value of OAA programs to our Nation's elderly. I urge my colleagues to contribute to the further success of these programs by supporting the passage of this well-crafted legislation.

Mr. FORD of Michigan. Madam Chairman, I rise today in support of H.R. 2967, the Older Americans Act Amendments of 1991. At the outset I want to congratulate Mr. MARTINEZ, the chairman of the subcommittee, and Mr. FAWELL, the ranking minority member, for bringing to the floor a bill with bipartisan support.

I am particularly pleased to vote to reauthorize this act which was first enacted in 1965 under the leadership of two great Americans, Senator Pat McNamara and Congressman James G. O'Hara, both of Michigan.

The Older Americans Act [OAA] provides critical support to our Nation's senior citizens so that they may continue to lead productive, independent, and fulfilled lives. Funds appropriated to OAA programs pay for 250 million congregate and home delivered meals. Every American has heard of Meals on Wheels but most don't know that it is the cornerstone of the OAA. In addition, the OAA supports some 65,000 community service jobs for low-income persons who are 55 years old and above. The OAA also authorizes a wide range of supportive services including in home and long-term care, multipurpose senior centers, legal services, as well as advocacy to ensure that the rights of our senior citizens are not abridged and that they are not taken advantage of.

The number of people above the age of 60, and the relative proportion of this group to general population, is increasing dramatically. The number of seniors who are 85 and above, and most likely to need assistance, is growing most rapidly of all. A real strength of the Older Americans Act is that it changes to reflect and address the changing needs of seniors as they live longer and make new accommodations to meet new circumstances.

The bill makes several more such changes.

The role of the Commissioner of the Administration on Aging [AOA] is strengthened and upgraded to reflect the important role of seniors in our daily lives;

Creation of a National Center on Elder Abuse to provide research, training, and information about elder abuse to heighten awareness of the problem and to assist policymakers at the Federal and State levels.

Establishment of the Office of the Federal Long-Term Care Ombudsman to, among other duties, investigate any situation that may adversely affect the health, safety, welfare, or rights of older individuals.

Enhanced data collection to provide for meaningful evaluation of service delivery and

to determine whether those who receive services are the most in need.

In addition, the authorization assumed in the OAA reauthorization is significantly higher than the current level. I am glad that the committee saw fit to reject the administration's budget proposal for an overall freeze in OAA funding and a 10-percent cut in the Senior Employment Program.

Mr. HAMMERSCHMIDT. Madam Chairman, I join my colleagues today in rising in support of H.R. 2967, the Older Americans Act Amendments of 1991. I would first like to commend the members of the Education and Labor Committee and my colleagues on the Select Committee on Aging for the time and energy they devoted to obtaining input from seniors, aging groups, service providers, and administrators as they worked to form this comprehensive reauthorizing legislation.

Since its enactment in 1965, the Older Americans Act has grown to be the primary program responsible for providing a wide array of services to persons 60 years of age and older. These services include congregate and home delivered meals, social and legal services, job training and placement, as well as ombudsman services. H.R. 2967 will reauthorize the Older Americans Act for 4 years, to include a total of \$2.1 billion in fiscal year 1992, \$2.2 billion in fiscal year 1993, \$2.4 billion in fiscal year 1994, and \$2.5 billion in fiscal year 1995 for research, services, and administrative programs for senior citizens.

H.R. 2967 also makes some changes in existing programs to improve the administration of the act. Section 112 of the bill contains provisions for enhanced data collection, and I consider this section to be an important improvement which would aid the Administration on Aging in monitoring and targeting the delivery of services to those seniors most in need. Under this new provision, the Commissioner on Aging, after consulting with State, area, and local organizations and providers, would assist in designing and implementing uniform data collection procedures for use by State agencies. These new procedures would include uniform definitions and nomenclature, standardized data collection procedures, and, of particular importance, establish procedures for the assessment of unmet needs for services under the act.

While our elderly population continues to grow at everincreasing rates, budgetary constraints have become increasingly tighter. Because the resources to meet the needs of this rapidly growing population are difficult to find, it is imperative that limited funds reach the most needy individuals. The new data collection standards outlined in H.R. 2967 will assist States in compiling the necessary statistics and meeting the mandate of the Older Americans Act to target those seniors in greatest economic and social need.

Once again, I would encourage my colleagues to support H.R. 2967, a bill that is vital in reauthorizing programs to provide substantial services to all senior citizens, while targeting those older Americans who have special needs. The Older Americans Act has grown to be a monumental vehicle for maintaining an effective aging network. It is my hope that through the reauthorization process this year and the consideration of H.R. 2967,

we have highlighted its many accomplishments, as well as ensured its success for years to come.

Mr. RINALDO. Madam Chairman, the Older Americans Act reauthorization is the most important seniors' legislation Congress will consider this year. I commend the chairman and ranking Republican member of the Subcommittee on Human Resources, as well as the chairman and ranking member of the Education and Labor Committee, for their leadership in bringing this bill to the floor.

For 25 years, the Older Americans Act has met the needs of millions of seniors by providing meals, transportation, employment, and advice about nursing homes and the benefits they are entitled to receive. It differs from most of the other aid programs administered by the Federal Government because rather than simply handing out help, the Older Americans Act is a helping hand for seniors.

The reauthorization process enables Congress to reexamine the act periodically, continuing programs which work and designing programs to meet new challenges facing our Nation's elderly. I believe that the committee's bill enhances and improves the present act.

In addition, I am pleased Chairman MARTINEZ has included in the committee en bloc amendment my proposal to strengthen current law by permitting States to fund entitlement outreach programs in areas with the greatest social and economic need. This language will help to make needy seniors aware of benefits under Medicaid, the Supplemental Security Income Program, and the Food Stamp Program for which they may be eligible.

A report issued earlier this year by the Families USA organization found that substantial numbers of seniors were unaware of their eligibility of Federal assistance. My recommendation addresses the needs of millions of older Americans who are not taking advantage of their full benefits. More needs to be done to inform seniors of their benefits, and I urge my colleagues to approve these changes and step up the efforts to reach out to our most needy seniors.

Mr. RICHARDSON. Madam Chairman, I rise today to express my strong support for the reauthorization of the Older Americans Act. This legislation targets critically needed services to those low-income elderly individuals who are most in need in my district and across the United States.

We all get older, that's just a fact of life. However, just because we get older doesn't mean that we can't remain active. For example, senior centers, which are eligible to receive funding from this legislation, can use funds to coordinate group activities, outings, and events for still active elderly individuals. Additionally, this bill provides programmatic funding so that elderly people can work and interact with young people to share the experience and expertise gained from a lifetime of living.

This legislation also provides services such as transportation, Meals on Wheels, in-home services, services for frail elderly, employment and information, and other supportive services to millions of low-income elderly individuals. Without these services, many of the elderly in New Mexico, particularly Hispanic, native American, and rural elderly, would be unable

to get to their doctor's appointments, do their shopping, or take care of necessary day-to-day activities.

Additionally, many of the programs in this legislation provide much needed in-home assistance to thousands of elderly individuals thereby allowing them to remain in their own homes rather than consigning them to the sterile environment of a nursing home. This bill also provides important protection for elderly individuals against elderly abuse or neglect which, unfortunately, has become increasingly widespread.

Since New Mexico is a rural State with a high percentage of Indian and Hispanic residents, I am hopeful that both of these populations will benefit from the increased outreach programs and other critically needed services this legislation provides.

Madam Chairman, as a member of the Select Committee on Aging, I have worked hard during my tenure in Congress to improve the overall well-being of our Nation's elderly population. I believe the reauthorization of the Older Americans Act addresses many of their concerns. I am proud to lend my support to this important legislation and I urge my colleagues to do the same.

Mrs. MEYERS of Kansas. Madam Chairwoman, I am pleased to rise in support of the legislation that is before us today, H.R. 2967, to reauthorize the Older Americans Act. Since its enactment in 1965, the Older Americans Act has provided essential services and programs to this Nation's senior citizens. This legislation will strengthen the act and will enable us to expand the services available to seniors and their caregivers.

Without question, nutrition programs provided under title III of the act are essential to the well-being of older Americans. The congregate and home-delivered meals programs ensure that older Americans are receiving, at a minimum, one nutritional meal each day. This program, which is primarily carried out by area agencies on aging, also provides seniors with much needed social interaction and activity. I am pleased that the Education and Labor Committee recognized the importance of these nutrition programs in the reauthorization of the Older Americans Act.

My colleagues should also support the bill because of several other important Older American Act programs it reauthorizes. The bill provides \$29 million for frail elderly in-home services and \$15 million to provide support for in-home caregivers. I have long been an advocate of in-home and respite care services. As the American population continues to grow older, the need for these services will also continue to grow.

Passage of this legislation will assist this Nation's senior citizens in their every day lives through the supportive services, nutrition, legal aid, employment, and long-term care programs under the Older Americans Act.

The Older Americans Act has been a success and I strongly urge my colleagues to support its reauthorization.

Mr. KILDEE. Madam Chairwoman, I am pleased to rise in strong support of H.R. 2967, the Older Americans Act Amendments of 1991.

Since its inception in 1965, the Older Americans Act has proven to be one of the most

successful programs enacted by the Federal Government.

With the aging of the population, and more and more elderly individuals confronted with the issue of paying increasing amounts for health care and housing, the programs authorized by the Older Americans Act are more critical now than ever.

Madam Chairwoman, I am particularly pleased that H.R. 2967 includes a new provision I introduced to authorize supportive activities for persons who provide in-home services to frail older individuals.

Due to a number of factors, including the aging of the population and the increases in life expectancy, more and more families are caring for an elderly relative in their homes.

According to the Pepper Commission report on comprehensive health care:

Almost three-quarters of severely disabled elders receiving long-term care at home or in the community in 1989 relied solely on family members or other unpaid help.

Persons caring for frail elderly individuals are typically women, wives, or daughters, who struggle to provide consistent care and to manage their own lives as well.

It is not uncommon to find an elderly woman who not only cares for a frail husband but a disabled child as well.

These individuals desperately need a variety of supportive services including someone to come into the home for brief intervals to allow them to conduct personal business, keep doctors appointments, or go grocery shopping without having to worry about the safety of their loved one.

Other critical services available to caregivers under title III-H include counseling and support, training, and linkages with other services.

H.R. 2967 also contains amendments I introduced to increase opportunities for elderly minority individuals to participate in title III programs authorized under the Older Americans Act.

Over the past several years, organizations representing elderly individuals have continued to express concern that minority persons were not being adequately served by the act.

One way of addressing this issue is to require more accountability in the system.

H.R. 2967 establishes new procedures for ensuring that services are further targeted to those most in need by requiring the Commissioner on Aging to approve or disapprove State funding formulas.

Additionally, area agencies must provide designs for how they plan to increase minority participation in their service areas and include them in the plans they are required to submit to State offices.

This new authority will ensure that funds provided to States for Older Americans Act services will be distributed in an equitable manner, with particular attention to those who are most vulnerable.

Madam Chairwoman, I urge a "yes" vote on the bill.

Mr. MILLER of California. Madam Chairman, I rise in support of H.R. 2967, the Older Americans Act Amendments of 1991. These amendments will not only strengthen and improve the provision of services to America's elderly, but will make the Older Americans

Act, one of our best examples of a public-private partnership, even better. With more than 31 million Americans over the age of 60, the Older Americans Act will continue to play an essential and increasing role in the lives of hundreds of thousands of Americans.

I wish to commend Mr. MARTINEZ and his subcommittee staff, and Education and Labor staff for their hard work on this legislation. I also wish to thank them for their willingness to work with me and with Mr. DOWNEY to include our amendment on quality assurances for in-home services to the frail elderly.

Meals on Wheels, home repair services, homemaker and home-health aid services, legal services to the elderly, elder abuse services, and transportation services are but a few of the services that are provided under the Older Americans Act. These vital services have enabled thousands of America's senior citizens to live independently in their homes and in their communities eliminating unnecessary institutionalization.

The 1987 Older Americans Act amendments authorized in title III the provision of in-home services for frail older individuals to prevent their premature institutionalization. These services include homemaker and home health aides, visiting and telephone reassurance, chore maintenance, in-home respite care for families and adult day care as a respite service for families.

Quality of care is a critical issue in home care and is a concern of both providers and individuals receiving in-home services. All too often we have read about elderly individuals who have been targets of fraudulent home repair services, or individuals who have had family mementos or personal property stolen by persons sent into their homes to help them.

Through passage of the 1987 Omnibus Budget Reconciliation Act—OBRA—87, Public Law 100—203—Congress made significant progress in protecting home care consumers by strengthening Medicare conditions of participation, particularly regarding training and testing of homemaker health aides. Those new standards and protections apply only to Medicare and Medicaid certified agencies, and not to organizations that do not receive funds from such sources.

But there are no Federal standards or provisions comparable to the 1987 OBRA provisions to assure quality of care provided under the Older Americans Act. Neither the enabling laws nor the implementing regulations place any supervision, training, or testing requirements on individuals who perform personal care activities. Effective State regulation of paraprofessional services exist in less than half of the States.

This lack of Federal and State quality assurance standards means that individuals providing the in-home services often go without appropriate training and supervision. And when underqualified individuals are put in the position of providing personal care, there is an increased risk that the quality of care will be poor. The risk of fraud and abuse against elderly and disabled clients may also increase.

The quality assurance amendment which Mr. DOWNEY and I have offered will ensure that individuals receiving in-home home health aide services under the Older Americans Act receive the same type of consumer protec-

tions that are provided under Medicare or Medicaid. Our amendment cross-walks where applicable, the 1987 OBRA Medicare and Medicaid quality assurance requirements for the provision of in-home services into the Older Americans Act.

Our amendment has two sections. The first section requires that home health aide services provided under section 341(a) of the Older Americans Act be provided by individuals employed by an entity that is either, first, a home health agency that meets the Medicare requirements of the Social Security Act; or second, is licensed under State law that requires training, testing, and supervisions substantially equivalent to the training, testing, and supervision required by Medicare, or third, is accredited by an agency approved by the Secretary of Health and Human Services.

The second section of our amendment requires that the entities that provide home health aide services promote the rights of each older individual who receives such services. These rights are identical to the 1987 OBRA legislation and include the right, first, to be fully informed in advance about the in-home services to be provided, and any change in the services; second, to participate in planning and changing these services unless the individual is judicially adjudged incompetent; third, to voice grievance with respect to such service, without discrimination or reprisal, fourth, to confidentiality of records; fifth, to have the property of the individual receiving the service treated with respect; and sixth, to be fully informed, orally and in writing, in advance of receiving in-home services, of their rights and obligations under this act.

The Older Americans Act has served as an important program in helping older individuals to maintain their independence and to avoid unnecessary and premature institutionalization. The addition of Federal quality assurance standards will strengthen both the act and the provisions of in-home services to help meet its goals.

Mr. DOWNEY. Madam Chairman, the legislation we consider today, H.R. 2967, the Older Americans Act Amendments of 1991, is of critical importance to millions of our elderly relatives, friends, and neighbors. When we speak of the Older Americans Act, we are really talking about countless locally organized service programs that make the lives of older people much better than they might otherwise be. We are speaking of Meals on Wheels programs, of neighborhood senior centers, of legal services, of home repair and chore assistance, of in-home health care services, of rides to the mall, and of elder abuse prevention programs. There are so many programs housed under the broad roof of the Older Americans Act, that it is difficult to list them all. But one thing is certain: All of these programs enjoy a remarkable track record of providing service over the past 26 years.

As chairman of the Subcommittee on Human Services of the Select Committee on Aging, I have been privileged over the past 3 years to meet many of the people who administer these programs at all levels, from the U.S. Commissioner on Aging to volunteers who serve the meals and deliver the reassuring words of comfort that personify the act. I have also had the pleasure of working with my

colleagues, Congresswomen SNOWE, the ranking minority member, the members of the Subcommittee on Human Services, Chairman ROYBAL, Chairman MARTINEZ, and Chairman FORD. Many people have joined their efforts to draft this reauthorization bill and I appreciate the consideration shown to me.

During the past 3 years, the Subcommittee on Human Services has held a series of hearings focusing on the Older Americans Act as preparation for this reauthorization process. We began with the Commissioner on Aging, Dr. Joyce Berry, and fittingly we ended with the Assistant Secretary of HHS responsible for carrying out the reorganization of the Department and upgrading the status of the Administration on Aging. In between, the subcommittee heard testimony regarding the special needs of the frail elderly, the opportunities and problems posed by public-private partnerships, transportation needs, research programs and data collection problems, and health promotion and outreach programs. I hope that the subcommittee's work has been helpful in developing these amendments before us.

There are a number of provisions of these amendments that merit particular attention. First, I am pleased to note that the amendments adopt a significant feature of legislation I introduced earlier this year to establish a National Conference on Aging. As my colleagues know, we should have had a White House Conference on Aging this year, but we are not going to because of the administration's failure to pay proper attention to the issue. As a result, the conference has been postponed until 1993. However, the amendments before us today give Congress a role in setting the policy and determining the agenda for the conference, through the establishment of a conference policy committee. By giving Congress a role in the White House Conference on Aging, we hope to be able to avoid a situation where, either through neglect or oversight, future conferences are put off. Furthermore since Congress will have to pass any legislative recommendations which may arise out of the conference, it makes sense to have Congress involved in the conference itself. I commend Chairmen FORD and MARTINEZ for their efforts to bring this significant reform about and I appreciate their willingness to consider and adopt my proposal.

For the past decade, Congress has struggled with the problem of elder abuse. The late chairman of the Select Committee on Aging, Congressman Claude Pepper, brought this problem into public view and it is fitting that the Older Americans Act has become the focus of legislative efforts on elder abuse. This bill makes significant improvements in the elder abuse provisions of the act and I am encouraged that all of those who have worked so hard over the years could agree on a common approach. I am particularly happy that the act continues to allow the States broad latitude in designing their own education, reporting, and treatment programs.

I am also pleased that a proposal to assure quality of care for in-home health care services provided under title III G of the act has been included. This proposal, developed by Congressman MILLER and me, arose in part out of my concern that where services are comparable, older Americans should enjoy the

same protection and assurances of quality care that exist under Medicare or other Federal programs. In the years ahead, as we address the issue of long-term care in a more comprehensive manner, it is important that we do not lose sight of the need to ensure that individuals who provide these services are qualified and properly supervised.

Today, we are also addressing the issue of personnel training and development for Older Americans Act programs. For many years, the act has required the Commissioner to develop, in coordination with other Federal agencies, a national plan for personnel training and development. Yet this plan has never seen the light of day. It is important that this mandate be implemented and the legislation before us requires the Commissioner to report to Congress on progress in implementing the mandate of section 202(a)(17), and I am grateful to the committee for implementing my proposal in this area.

In addition, these amendments include a provision which requires the Commissioner on Aging to publish an annual report of completed research funded under the title IV program. This provision arises directly from a hearing held by our subcommittee on research programs under the act. In its testimony, the General Accounting Office reported that the Administration on Aging lacked a comprehensive dissemination effort despite the fact that title IV grantees often produced findings which were useful to the aging network. State agencies reported that access to this information was haphazard. I believe that this simple step will increase the efficacy of the title IV program.

Finally, it is worth noting something which is not in today's legislation—mandatory cost sharing for services provided under the act. The administration recommended that a fee-for-service system be adopted, a proposal which radically challenges the very nature of the act. The subcommittee was deeply interested in this issue and carried out and published "Cost Sharing for the Elderly: A Survey of Current Incidence and Practice," which details the diversity of views on this issue. I am happy to say that Congress has rejected this proposal.

Madam Chairman, I would be remiss if I did not publicly thank the staff of the Congressional Research Service and the General Accounting Office for the assistance provided to the Subcommittee on Human Services. I think we have all benefited from the many reports they have provided us.

I urge my colleagues to support this fine bill. Millions of elderly people are counting on the services we authorize today. They have worked hard to make this a strong Nation and they deserve our support.

Mr. HOAGLAND. Madam Chairman, as this Nation faces the graying of our population, we must face up to the challenge of providing adequate support services for the elderly such as comprehensive long-term health care. Many of the elderly have a disabling condition. Many are alone. We will all need help some day.

One of the most successful Federal programs has been the Older Americans Act. It has been successful because it fills a real need. It provides those supportive services to

the elderly like Meals on Wheels and home health care that give our seniors the support they need to enable them to live a full life with dignity and to stay in their homes.

The programs funded by the Older Americans Act are crucial for thousands of America's elderly who depend on them for food, transportation, employment and training. H.R. 2967 also authorizes a number of new programs to provide more extended care for our neediest senior citizens.

Since it was first enacted in 1965, the Older Americans Act has provided a wide array of programs to seniors in their homes and in their communities, programs such as congregate—designated sites—and home-delivered meals, home health care, transportation, homemaker assistance, chore maintenance, legal services, and employment. A key benefit of these services is that they enable elderly persons to live independently on their own, where they want to be. It helps prevent them from being forced into institutions.

Close to 70 percent of the funds under the Older Americans Act support a nationwide network of state agencies on aging to provide a wide range of services such as Meals on Wheels, transportation and assistance for senior centers. In Nebraska, senior citizens make up nearly 20 percent of our State population. We are experiencing a continuing rise in our aging population. From 1980 to 1990, Nebraska's 85-and-older population rose by 25 percent. This growth rate was higher than any other State, a striking testament to our healthy Midwestern lifestyle and environment.

Nebraska received more than \$5 million in funds in 1990 from the Older Americans Act to provide 226,871 rides to 7,433 older individuals; 14,379 hours of legal services to 7,443 senior citizens; 150,080 telephone reassurance calls to 10,717 elderly citizens who are home-bound, to see if they were all right or needed assistance; and 50,860 hours of education and training to 6,127 of our seniors. These funds allowed community service centers, organizations, and support groups to provide care and services to 25 percent of Nebraska's 60-and-older population.

H.R. 2967 authorizes \$15 million to create a new program providing supportive activities for in-home caregivers for the frail elderly. Over 80 percent of all care for the frail elderly is provided by family members. Because of our aging population, there is a great need for in-home and community-based services, including respite for caregivers, to help those who are providing the bulk of personal care for the elderly. The intent of these programs is to keep people as independent and in their home as long as possible, thus enhancing their quality of life.

The Older Americans Act of 1991 also requires the President to convene a National Conference on Aging in 1993. A White House Conference on Aging has convened once each decade since 1960. These conferences have provided critical insights and recommendations in the field of aging. The impact of our growing population of elderly makes it more critical that planning be done now for needs of the future elderly as well as the unmet needs of our elderly today.

I urge my colleagues to join me in supporting reauthorization of the Older Americans

Act. It has created proven programs that many of our seniors have come to depend on for their dignity and independence. It is an excellent program.

Mrs. NORTON. Madam Chairman, I am pleased to rise in support of H.R. 2967, the Older Americans Act Amendments of 1991. The OAA has been an unusually successful piece of legislation. The act has come during an era when medical and health miracles have extended the lives of millions of Americans. Along with these miracles, however, comes the responsibility to help older Americans live lives that continue to be meaningful and purposeful.

Here in the Nation's Capital, more than 18 percent of the total population is over 60 years of age—up 4 percent since 1980. In 1985, 17 percent of the District's elderly population was living below poverty level. We cannot afford to let the wealth of experience and knowledge these citizens possess be wasted. We must provide for them in their golden years.

The District of Columbia Office on Aging, the local agency created to administer the Federal funds from the act, served over 30,000 seniors in fiscal year 1990. Through that office, 42 community-based agencies provide essential social and supportive services such as home-delivered meals, case assessment and management, inhome supportive services, minor home repair and renovation, and legal advice.

These programs help to fully incorporate seniors in the life of this city and this country. No country that calls itself compassionate can help but embrace this legislation. Please support it.

Ms. SLAUGHTER of New York. Madam Chairman, I am proud to support the legislation reauthorizing the Older Americans Act which the House considers today.

Twenty-six years ago when the Older Americans Act became law, Congress made a promise to senior citizens that the Federal Government would help them overcome individual and social barriers to health maintenance, economic independence, and personal dignity. As the House moves today to reauthorize the act, we recognize the great achievement of this legislation.

The programs provided under the Older Americans Act meet some of the senior citizens' most basic needs—for nutrition, transportation, even companionship. Certainly, this is not too much to give to older Americans who have enriched our Nation's history, lend meaning to the present day, and give promise to our future. Today's senior citizens have defended the Nation's freedom and kept alive for posterity traditional American values. Who could deny this deserving population?

The 30th Congressional District of New York, which I am proud to represent, is home to some 58,000 senior citizens and the greater Rochester area has a proud history of meeting their needs and looking out for their interests. Rochester-area service organizations have created dozens of innovative programs for the elderly and seniors here have many opportunities—exercise classes, mental health programs, nutritional counseling, respite for caregivers and ombudsman services. The Older Americans Act has been instrumental in shaping this proud tradition of service, com-

plementing the work of seniors and providers in upstate New York with a solid Federal commitment to the needs of our aging population.

While Rochester-area service providers do a remarkable job of making these programs available, funding constraints exist so that not all senior residents have access to services. In hearings of the Select Committee on Aging held in Washington and in my own congressional district, I have consistently advocated for full funding of the Older Americans Act. I am gratified that H.R. 2967, the 1991 reauthorization of the act, includes a \$600 million increase in authorized funding over the fiscal year 1991 appropriation.

I am also gratified that the Education and Labor Committee has seen fit to reject the administration's proposal to repeal certain unfunded programs authorized by the Older Americans Act. Among these yet unfunded programs are the health promotion and education services added to title III of the act by an amendment I authored during the 1987 reauthorization.

My amendment authorized the establishment in senior centers of health insurance needs counseling programs to protect seniors with limited incomes from Medigap insurance fraud and to help them understand their Medicare and private health insurance coverage. Also authorized by my 1987 amendment to the Older Americans Act were mental health screening, preventive health programs, exercise classes, nutrition counseling and other important programs which ensure not only the health, but also the quality of life, of our Nation's senior citizens.

The problems our senior citizens face today will only be exacerbated in the coming decades. The growing numbers of elderly, rising health care and prescription drug costs, and increasing long term care needs are already challenging the existing service delivery infrastructure. As senior citizens seek to protect themselves from these trends, they often go too far and end up with shoe boxes full of costly, duplicative and worthless health insurance policies. They can be confused by the denial of claims and unsure of what Medicare covers. They worry about losing their homes or being unable to care for a beloved spouse. They dread living alone.

These are just the types of problems which the Older Americans Act can help solve. And, these are just the types of problems which command comprehensive study and long-range policy considerations; which is why the Older Americans Act Amendments of 1991 will require the President to convene a National Conference on Aging in 1993. Such a conference will identify problems of older individuals, develop recommendations for the coordination of Federal policy and local needs, and develop a comprehensive, long-range legislative strategy for maintaining and improving the quality of life for older Americans.

My colleagues will recall that the authorization we passed in 1987 gave the President authority to convene a 1991 White House Conference on Aging. I wrote to the President and, on behalf of my constituents, strongly urged him to convene a broad-based and adequately funded 1991 Conference on Aging. Despite my petitions and the urging of the Select Committee on Aging Subcommittee on

Human Services, seniors advocacy organizations, and my own long-term care advisory committee, the President failed to convene such a vital conference. I am gratified that the legislation we consider today makes certain a 1993 conference will occur and the issues of critical importance to senior citizens will be given due consideration.

As the elderly population continues to grow, the Older Americans Act is a promise we can't afford to break. Millions of senior citizens have come to depend on the Older Americans Act. On their behalf, I cast my "yes" vote on H.R. 2967 today and I urge the support of my colleagues.

Mr. SERRANO. Madam Chairman, I rise in strong support of this bill, H.R. 2967, that would reauthorize one of the most important pieces of legislation to come from Congress, the Older Americans Act.

The Older Americans Act, created in 1965, is the only Federal act dedicated to providing vital social services for those Americans in their golden years, our senior citizens. It does indeed symbolize a commitment on the part of the Federal Government to ensuring that this important population receive essential nutrition and support services with as little cost to them as possible.

H.R. 2967 requires a State's distribution formula be based on the best available data on low-income older individuals, low-income minority older individuals, and frail older individuals that reside in the State. The Commissioner shall develop regulations to insure that statistically relevant and verifiable data shall be used by States to assess the needs for services of these groups.

Within this population are resources as varied and rich as in any other segment of our society. It behooves us as a Nation to aide and encourage each senior citizen to live as full a life as possible.

Intergenerational programs that foster interaction between seniors and children should be encouraged. H.R. 2967 creates programs that would provide meals for the elderly in elementary and secondary schools to do just this.

Let's continue a proper allegiance to the elderly people of this Nation who have already paid their dues, and paved the way for each of us, by giving back to them. I urge the full support of my colleagues for H.R. 2967.

Mr. HERTEL. Madam Chairman, I rise today in strong support of the Older Americans Act of 1991. Seniors have given a lifetime of hard work to this country, and in the retirement years deserve the best we have to offer. We owe it to Seniors to make their lives comfortable and worry-free. The passage of this bill helps promote this end. I am particularly pleased that Native Americans are not forgotten under this measure as it authorizes money for Native American aging programs.

Madam Chairman, the history of success of programs sponsored under the Older Americans Act are stellar. Each day, millions of seniors from all parts of the country share a meal and companionship through the congregate meal program. Thousands more elderly are able to live in their own homes rather than in institutions as a direct result of the Meals on Wheels Program. Many of these programs are beneficial simply because they encourage seniors to get out into, or remain a part of the

community which deters loneliness, one of the most common complaints of our elderly population. Other programs, such as employment and legal services, as well as disease prevention programs have remarkably proven their effectiveness.

Madam Chairman, it is particularly important to note that H.R. 2967 states that the President shall convene a National Conference on Aging in 1993. In past years, the Older Americans Act allowed, but did not require the President to call such a conference. The last conference was held in 1981, and traditionally, there has been a conference every 10 years. It is high time for the administration to address the aging issues which it has been avoiding. It is unfortunate that a conference was not called for this year, as it allows for debate on issues that have such a great impact on our senior population.

Madam Chairman, the continual erosion of programs that are beneficial to our seniors over the last 10 years is an outrage. The benign neglect by the administration of senior citizens is unwarranted and unconscionable. The Older Americans Act of 1991 is a bill that will positively affect the quality of life for those Americans who have earned the right to enjoy a decent retirement.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the House Report 102-200 shall be considered by titles as an original bill for the purposes of amendment and each title is considered as read.

Mr. MARTINEZ. Madam Chairman, I ask unanimous consent that the amendment in the Nature of a Substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the amendment in the nature of a substitute is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Older Americans Act Amendments of 1991".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Section 1. Short title; table of contents.

TITLE I—AMENDMENTS TO THE OLDER AMERICANS ACT OF 1965

Subtitle A—Declaration of Objectives; Definitions

Sec. 101. Definitions.

Subtitle B—Administration on Aging

Sec. 111. Establishment of Administration on Aging.

Sec. 112. Functions of Commissioner.

Sec. 113. Federal agency consultation.

Sec. 114. Federal Council on Aging.

Sec. 115. Administration of Act.

Sec. 116. Evaluation.

Sec. 117. Reports.

Sec. 118. Federal Long-Term Care Ombudsman.

Sec. 119. Authorization of appropriations for salaries and expenses.

Sec. 120. Authorization of appropriations for the National Commission on Board and Care Facility Quality.

Subtitle C—Grants for State and Community Programs on Aging

Sec. 131. Definitions.

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TITLE I—AMENDMENTS TO THE OLDER AMERICANS ACT OF 1965

Subtitle A—Declaration of Objectives; Definitions

SEC. 101. DEFINITIONS.

(a) RELOCATING DEFINITIONS.—Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended by adding at the end the following:

"(13) The term 'abuse' means the willful—
"(A) infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm or pain, or mental anguish; or
"(B) deprivation by a caretaker of goods or services which are necessary to avoid physical harm, mental anguish, or mental illness.

"(14) The term 'adult child with a disability' means a child who—
"(A) is 18 years of age or older;
"(B) is financially dependent on such child's parent who is an older individual; and
"(C) has a disability.

"(15) The term 'area agency on aging' means an area agency on aging designated under section 305(a)(2).
"(16) The term 'board and care facility' means a facility regulated by a State pursuant to section 1616(e) of the Social Security Act.

"(17) The term 'caretaker' means an individual who has the responsibility for the care of an older individual, either voluntarily, by contract, receipt of payment for care, as a result of family relationship or by order of a court of competent jurisdiction.
"(18) The term 'elder abuse' means abuse of an older individual.

"(19) The term 'focal point' means a facility established to encourage the maximum collocation and coordination of services for older individuals.
"(20) The term 'frail' means having a physical or mental disability, including having Alzheimer's disease or a related disorder with neurological or organic brain dysfunction, that restricts the ability of an individual to perform normal daily tasks or which threatens the capacity of an individual to live independently.

"(21) The term 'greatest economic need' means the need resulting from an income level at or below the poverty levels established by the Bureau of the Census.
"(22) The term 'greatest social need' means the need caused by noneconomic factors, including—

"(A) physical and mental disabilities;
"(B) language barriers; and
"(C) cultural, social, or geographical isolation, including isolation caused by racial or ethnic status.
"(23) The term 'older individual' means an individual who is 60 years of age or older.

"(24) The term 'physical harm' means bodily pain, injury, impairment, or disease."

(b) CONFORMING AMENDMENTS.—(1) Section 302 of the Older Americans Act of 1965 (42 U.S.C. 3022) is amended—

(A) by striking paragraphs (9), (11), (14), (15), (16), (19), (20), and (21), and

(B) by redesignating paragraphs (10), (17), and (18) as paragraphs (9), (10), and (11), respectively.

(2) Section 307(a)(10) of the Older Americans Act of 1965 (42 U.S.C. 3027) is amended by striking "section 342(1)" and inserting "section 342".

(3) Section 342 of the Older Americans Act of 1965 (42 U.S.C. 3030i) is amended—

(A) by amending the heading to read as follows:

"DEFINITION OF IN-HOME SERVICES",

(B) by striking paragraph (2),

(C) in paragraph (1)

(i) in subparagraph (E) by striking "; and" and inserting a period, and

(ii) by indenting 2 ems the left margin of subparagraphs (A) through (E) and redesignating such subparagraphs as paragraphs (1) through (5), respectively, and

(D) by striking "part—" and all that follows through "includes—", and inserting "part, the term 'in-home services' includes—".

Subtitle B—Administration on Aging

SEC. 111. ESTABLISHMENT OF ADMINISTRATION ON AGING.

Section 201 of the Older Americans Act of 1965 (42 U.S.C. 3011) is amended—

(1) in subsection (a)—

(A) by striking the third sentence and inserting the following:

"The Administration shall be under the direct authority and supervision of the Secretary, and the Commissioner shall report directly to the Secretary on all matters relating to this Act, including policy, budget, and administration of programs.", and

(B) in the last sentence by inserting "(including the functions of the Commissioner carried out through regional offices)" after "Commissioner" the first place it appears,

(2) in subsection (c)(3)—

(A) in subparagraph (G) by striking "and" at the end,

(B) in subparagraph (H) by striking the period and inserting a semicolon, and

(C) by adding at the end the following:

"(I) promote coordination between the administration of title III and the administration of title VI, including sharing among grantees information on programs funded, and on training and technical assistance provided, under such titles; and

"(J) serve as the effective and visible advocate on behalf of older Indians, older Alaskan Natives, and older Native Hawaiians, in the States to promote the enhanced delivery of services and implementation of programs, under this Act and other Federal Acts, for the benefit of older Indians, older Alaskan Natives, and older Native Hawaiians."

SEC. 112. FUNCTIONS OF COMMISSIONER.

Section 202(a) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)) is amended—

(1) in paragraph (3) by inserting "directly" after "(3)",

(2) in paragraph (11) by striking "provide for the coordination of" and insert "coordinate",

(3) in paragraph (18)—

(A) by inserting ", and service providers," after "agencies", and

(B) by striking "the greatest economic or social needs" and inserting "greatest economic need or individuals with greatest so-

cial need, with particular attention to and specific objectives for providing services to low-income minority individuals",

(4) in paragraph (19)—

(A) in subparagraph (A) by inserting "or activity" after "service" each place it appears, and

(B) in subparagraph (C) by striking "and" at the end,

(5) in paragraph (20) by striking the period at the end and inserting a semicolon,

(6) by adding at the end the following:

"(21) establish the National Ombudsman Resource Center, under the administration of the Federal Long-Term Care Ombudsman, that will—

"(A) by grant or contract—

"(i) conduct research;

"(ii) provide training, technical assistance, and information to State Long-Term Care Ombudsmen; and

"(iii) analyze laws, regulations, programs, and practices;

relating to Federal, State and local long-term care ombudsman policies;

"(B) coordinate efforts to provide information to Federal and State law enforcement authorities regarding violations of laws relating to the elder abuse;

"(C) make recommendations to the Congress and the President or elder abuse policies;

"(D) assist State Long-Term Care Ombudsmen in the implementation of elder abuse programs and abuse prevention strategies;

"(23) make arrangements with the Institute of Medicine of the National Academy of Sciences, for the purpose of having the Institute establish within the Institute, not later than 18 months after the effective date of this paragraph, the National Commission on Board and Care Facility Quality that will—

"(A) be administered by the Institute in coordination with the Federal Long-Term Care Ombudsman, and be directed in its policy by representatives of State and local governments, residents of board and care facilities (and representatives of such residents), private individuals with experience in the long-term care profession or in providing long-term care services, and by Federal policy-making officers who are appointed by the Secretary;

"(B) by grant or contract—

"(i) conduct research; and

"(ii) analyze State and local laws and policies;

relating to board and care facilities; and

"(C) not later than 18 months after the Commission is established, make recommendations to the Congress and the President concerning minimum national standards for the health and safety of residents of board and care facilities; and

"(D) assist State and local entities in the implementation of national, State, and local board and care facility quality standards and abuse prevention strategies;

"(24) not later than June 1, 1992, establish standards applicable to the training required by section 307(a)(12)(H)(iv);

"(25) issue regulations, and conduct strict monitoring of State compliance with the requirements in effect, under this Act to prohibit conflicts of interest and to maintain the integrity and public purpose of services provided and service providers, under this Act in all contractual and commercial relationships, and include in such regulations a requirement that as a condition of being designated as an area agency on aging such agency shall—

"(A) disclose to the Commissioner and the State agency involved—

"(i) the identity of each nongovernmental entity with which such agency has a contract or commercial relationship relating to providing any service to older individuals; and

"(ii) the nature of such contract or such relationship;

"(B) demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this Act by such agency has not and will not result from such contract or such relationship;

"(C) demonstrate that the quantity or quality of the services to be provided under this Act by such agency will be enhanced as a result of such contract or such relationship; and

"(D) on the request of the Commissioner or the State, for the purpose of monitoring compliance with this Act (including conducting an audit), disclose all sources and expenditures of funds received or expended to provide services to older individuals; and

"(26) design and implement, for purposes of compliance with paragraph (19), uniform data collection procedures for use by State agencies, including—

"(A) uniform definitions and nomenclature;

"(B) standardized data collection procedures;

"(C) a participant identification and description system; and

"(D) procedures for the assessment of unmet needs for services under this Act.

Not later than 1 year after the date of the enactment of the Older Americans Act Amendments of 1991, such data collection procedures shall be developed by the Commissioner, jointly with the Assistant Secretary of Planning and Evaluation of the Department of Health and Human Services, after requesting advisory information from State agencies, local governments, area agencies on aging, and local providers of services under this Act and after considering the data collection systems carried out by State agencies in the States then identified as exemplary by the General Accounting Office. Not later than 1 year after developing such data collection procedures, the Commissioner shall implement and test such data collection procedures and submit, to the Speaker of the House of Representatives and the President pro tempore of the Senate, a report summarizing the results of such test."

SEC. 113. FEDERAL AGENCY CONSULTATION.

The first sentence of section 203(a) of the Older Americans Act of 1965 (42 U.S.C. 3013(a)) is amended by inserting "coordinate," after "shall".

SEC. 114. FEDERAL COUNCIL ON AGING.

Section 204 of the Older Americans Act of 1965 (42 U.S.C. 3015) is amended—

(1) in the third sentence of subsection (a)(1) by inserting "from among individuals who have expertise and experience in the field of aging" after "appointed",

(2) in subsection (d)—

(A) in paragraph (2) by inserting before the semicolon at the end the following: "and of identifying duplication and gaps among the types of services provided under such programs and activities",

(B) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively, and

(C) by inserting after paragraph (1) the following:

"(2) directly advise the Commissioner on matters affecting the special needs of older individuals for services and assistance under this Act;"

(3) in the first sentence of subsection (f) by striking "Beginning" and all that follows through "advisable", and inserting "The Council shall make interim reports to the Commissioner", and

(4) by amending subsection (g) to read as follows:

"(g) There are authorized to be appropriated to carry out this section \$300,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995."

SEC. 115. ADMINISTRATION OF ACT.

Section 205 of the Older Americans Act of 1965 (42 U.S.C. 3016) is amended—

(1) in subsection (a)—

(A) in paragraph (4) by striking "and" at the end,

(B) in paragraph (5) by striking the period at the end and inserting a semicolon, and

(C) by adding at the end the following:

"(6) designate an officer or employee with nutritional science and planning expertise, to coordinate and assist—

"(A) the delivery of nutrition services under this Act;

"(B) the implementation of Federal dietary, nutritional, and health services standards for nutritional planning under this Act; and

"(C) the establishment of guidelines for monitoring compliance of such nutritional services with the requirements under this Act; and

"(7) establish a policy, and be responsible for advocating, guiding, coordinating, and assisting under this Act Federal and State efforts to create, opportunities for older individuals to participate in multigenerational activities, such as serving as mentors or advisors to younger individuals.", and

(2) in subsection (c) by striking "1987" and inserting "1991".

SEC. 116. EVALUATION.

Section 206 of the Older Americans Act of 1965 (42 U.S.C. 3017) is amended—

(1) in the first sentence of subsection (a) by inserting after "related programs," the following:

"their effectiveness in targeting for services under this Act unserved older individuals with greatest economic need (including low-income minority individuals) and unserved older individuals with greatest social need (including low-income minority individuals).", and

(2) by striking subsection (g) and inserting the following:

"(g)(1) Not later than June 30, 1994, the Commissioner, in consultation with the Assistant Secretary for Planning and Evaluation of the Department of Health and Human Services, shall complete an evaluation of nutrition services provided under this Act, to evaluate for fiscal years 1992 and 1993—

"(A) their effectiveness in serving special populations of older individuals;

"(B) the quality of nutrition provided by such services;

"(C) average meal costs (including the cost of food, related administrative costs, and the cost of supportive services relating to nutrition services), taking into account regional differences and size of projects;

"(D) the characteristics of participants;

"(E) the applicability of health, safety, and dietary standards;

"(F) the appraisal of such services by recipients;

"(G) the efficiency of delivery and administration of such services;

"(H) the amount, sources, and ultimate uses of funds transferred under section 308(b)(5) to provide such services;

"(I) the amount, sources, and uses of other funds expended to provide such services, in-

cluding the extent to which funds received under this Act are used to generate additional funds to provide such services;

"(J) the degree of nutritional expertise used to plan and manage coordination with other State and local services;

"(K) nonfood cost factors incidental to providing nutrition services under this Act;

"(L) the extent to which commodities provided by the Secretary of Agriculture are used to provide such services;

"(M) and for the 8-year period ending September 30, 1991, the characteristics, and changes in the characteristics, of such nutrition services;

"(N) differences between older individuals who receive nutrition services under section 331 and older individuals who receive nutrition services under section 336, with specific reference to age, income, health status, receipt of food stamp benefits, and limitations on activities of daily living;

"(O) the impact of the increase in nutrition services provided under section 336, the factors that caused such increase, and the effect of such increase on nutrition services authorized under section 336;

"(P) how, and the extent to which, nutrition services provided under this Act generally, and under section 331 specifically, are integrated with long-term care programs;

"(Q) the impact of nutrition services provided under this Act on older individuals, including the impact on their dietary intake and opportunities for socialization; and

"(R) the impact of transferring funds under section 308(b)(5) and how funds transferred under such section are expended to provide nutrition services.

"(2) Not later than September 30, 1994, the Secretary shall—

"(A) submit to President, the Speaker of the House of Representatives, and the President pro tempore of the Senate recommendations to improve nutrition services provided under this Act; and

"(B) require the Commissioner to implement such recommendations administratively, to the extent feasible.

"(h) The Secretary may use such sums as may be necessary, but not to exceed one-third of 1 percent of the funds appropriated under this Act for each fiscal year or \$3,000,000 (whichever is less), to conduct directly evaluations under this section. No part of such sums may be reprogrammed, transferred, or used for any other purpose. Funds expended under this subsection shall be justified and accounted for by the Secretary."

SEC. 117. REPORTS.

(a) ANNUAL REPORT.—Section 207(a) of the Older Americans Act of 1965 (42 U.S.C. 3018(a)) is amended—

(1) in paragraph (3) by striking "and" at the end,

(2) in paragraph (4) by striking the period at the end and inserting "; and", and

(3) by adding at the end the following:

"(5) a description of the implementation of the plan required by section 202(a)(17)."

(b) REPORT ON EVALUATIONS.—Section 207(c) of the Older Americans Act of 1965 (42 U.S.C. 3018(c)) is amended—

(1) in paragraph (3) by striking "and" at the end,

(2) in paragraph (4) by striking the period at the end and inserting "; and",

(3) by adding at the end the following:

"(5) the effectiveness of State and local efforts to target older individuals with greatest economic need (including low-income minority individuals) and older individuals with greatest social need (including minor-

ity individuals) to receive services under this Act."

SEC. 118. FEDERAL LONG-TERM CARE OMBUDSMAN.

Title II of the Older Americans Act of 1965 (42 U.S.C. 3011-3020d) is amended by adding at the end the following:

"FEDERAL LONG-TERM CARE OMBUDSMAN"

"Sec. 214. (a) To assist the Commissioner to carry out section 307(a)(12), there is established in the Administration on Aging the Office of the Federal Long-Term Care Ombudsman.

"(b) Such Office shall be headed by the Federal Long-Term Care Ombudsman who shall be appointed by the Commissioner from among individuals who have expertise and background in the field of long-term care. The Federal Long-Term Care Ombudsman shall report to the Commissioner.

"(c) The Federal Long-Term Care Ombudsman shall—

"(1) advocate, monitor, and coordinate Federal and State activities of long-term care ombudsmen under this Act;

"(2) administer the National Ombudsman Resource Center;

"(3) submit to the Speaker of the House of Representatives and the president pro tempore of the Senate an annual report on the effectiveness of services provided under section 307(a)(12); and

"(4) have authority to investigate the operation or violation of any Federal law administered by the Department of Health and Human Services that may adversely affect the health, safety, welfare, or rights of older individuals.

"(d)(1) For the purposes of carrying out subsection (c)(4), the Federal Long-Term Care Ombudsman may—

"(A) issue subpoenas to compel the testimony of witnesses, and the production of documents, at any place in any State;

"(B) administer oaths;

"(C) examine witnesses; and

"(D) receive evidence.

"(2) The Federal Long-Term Care Ombudsman shall pay the same fees and mileage that are paid to witnesses in the district courts of the United States.

"(3)(A) A subpoena issued under subparagraph (A) may be served at any place in the United States.

"(B) Such subpoena shall be served in the manner provided in the Federal Rules of Civil Procedure for the service of subpoenas issued by a district court of the United States.

"(4)(A) If a person to whom a subpoena is issued under paragraph (1) refuses to obey such subpoena, the district court of the United States for the judicial district—

"(i) in which the Federal Long-Term Care Ombudsman is conducting the proceeding involved; or

"(ii) in which such person is found, resides, or transacts business;

may, upon application by the Federal Long-Term Care Ombudsman, order such person to appear before the Federal Long-Term Care Ombudsman to testify or to produce documents.

"(B) Failure to obey such order may be punished by such court as a contempt thereof.

"(C) Process of a court to which application is made under this paragraph may be served at any place in the United States."

SEC. 119. AUTHORIZATION OF APPROPRIATIONS FOR SALARIES AND EXPENSES.

Title II of the Older Americans Act of 1965 (42 U.S.C. 3011-3020d), as amended by section

118, is amended by adding at the end the following:

"AUTHORIZATION OF APPROPRIATIONS FOR SALARIES AND EXPENSES

"SEC. 215. There are authorized to be appropriated for salaries and expenses of the Administration on Aging—

"(1) \$17,000,000 for fiscal year 1992, \$20,000,000 for fiscal year 1993, \$24,000,000 for fiscal year 1994, \$29,000,000 for fiscal year 1995; and

"(2) such additional sums as may be necessary for each such fiscal year to enable the Commissioner to provide for not fewer than 300 full-time employees (or the equivalent thereof) in the Administration on Aging."

SEC. 120. AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL COMMISSION ON BOARD AND CARE FACILITY QUALITY.

Title II of the Older Americans Act of 1965 (42 U.S.C. 3011–3020d), as amended by sections 118 and 119, is amended by adding at the end the following:

"AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL COMMISSION ON BOARD AND CARE FACILITY QUALITY

"SEC. 216. There is authorized to be appropriated \$1,500,000 for operation of the National Commission on Board and Care Quality established under the authority of section 202(a)(23)."

Subtitle C—Grants for State and Community Programs on Aging

SEC. 131. DEFINITIONS.

Section 302 of the Older Americans Act of 1965 (42 U.S.C. 3022), as amended by section 101(b), is amended—

(1) in paragraph (1)—
(A) in subparagraph (B) by striking "and" at the end,

(B) in subparagraph (C) by striking the period at the end and inserting "; and", and

(C) by adding at the end the following:
"(D) encourage and assist public and private entities that have unrealized potential for meeting the service needs of older individuals to assist the older individuals on a voluntary basis."

(2) in paragraph (4) by inserting "direct" after "under the", and

(3) by inserting after paragraph (11), as so redesignated by section 101(b), the following:

"(12) The term 'caregiver' means a family member or other individual who provides (on such individual's behalf or on behalf of a public or private agency, organization, or institution) uncompensated care to an older individual who needs supportive services.

"(13) The term 'eldercare' means a supportive service provided by a caregiver to an older individual, particularly an older individual who is at risk of losing self-sufficiency."

SEC. 132. AUTHORIZATION OF APPROPRIATIONS; USES OF FUNDS.

(a) AUTHORIZATION FOR PART B.—

(1) SUPPORTIVE SERVICES AND SENIOR CENTERS.—Section 303(a)(1) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)(1)) is amended by striking "\$379,575,000" and all that follows through "1991", and inserting "\$439,406,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995".

(2) STATE LONG-TERM CARE OMBUDSMAN PROGRAMS.—Section 303(a)(2) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)(2)) is amended by striking "\$20,000,000" and all that follows through "1991", and inserting "\$40,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995".

(3) OUTREACH AND RELATED ASSISTANCE.—Section 303(a)(3) of the Older Americans Act of 1965 (42 U.S.C. 3012(a)(3)) is amended by striking "\$10,000,000" the first place it appears and all that follows through "1991", and inserting "\$15,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995".

(b) AUTHORIZATION FOR PART C.—

(1) CONGREGATE NUTRITION SERVICES.—Section 303(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3012(b)(1)) is amended by striking "\$414,750,000" and all that follows through "1991", and inserting "\$435,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995".

(2) HOME-DELIVERED NUTRITION SERVICES.—Section 303(b)(2) of the Older Americans Act of 1965 (42 U.S.C. 3012(b)(2)) is amended by striking "\$79,380,000" and all that follows through "1991", and inserting "\$120,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995".

(3) AUTHORIZATION OF APPROPRIATIONS FOR SCHOOL-BASED MEALS FOR OLDER INDIVIDUALS AND MULTIGENERATIONAL PROGRAMS.—Section 303(b) of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended by adding at the end the following:

"(3) Subject to subsection (h), there are authorized to be appropriated \$15,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, to carry out subpart 3 of part C of this title (relating to congregate nutrition services and multigenerational activities of schools)."

(c) AUTHORIZATION FOR PART D (RELATING TO IN-HOME SERVICES).—Section 303(d) of the Older Americans Act of 1965 (42 U.S.C. 3012(d)) is amended by striking "\$25,000,000" and all that follows through "1991", and inserting "\$28,941,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995".

(d) AUTHORIZATION FOR PART E (RELATING TO SPECIAL NEEDS).—Section 303(e) of the Older Americans Act of 1965 (42 U.S.C. 3012(e)) is amended—

(1) by striking "are" and inserting "is", and

(2) by striking "\$25,000,000" the first place it appears and all that follows through "1991", and inserting "such sums as may be necessary for fiscal years 1992, 1993, 1994, and 1995".

(e) AUTHORIZATION FOR PART F (RELATING TO DISEASE PREVENTION AND HEALTH PROMOTION).—Section 303(f) of the Older Americans Act of 1965 (42 U.S.C. 3012(f)) is amended—

(1) by striking "Subject to subsection (h), there" and inserting "There", and

(2) by striking "\$5,000,000" and all that follows through "1991", and inserting "\$25,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995".

(f) AUTHORIZATION FOR PART G (RELATING TO ABUSE, NEGLECT, AND EXPLOITATION OF OLDER INDIVIDUALS).—Section 303(g) of the Older Americans Act of 1965 (42 U.S.C. 3012(g)) is amended by striking "\$5,000,000" and all that follows through "1991", and inserting "\$15,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995".

(g) LIMITATION ON AUTHORIZATION OF APPROPRIATIONS.—Section 303(h) of the Older Americans Act of 1965 (42 U.S.C. 3023(h)) is amended—

(1) by striking "(a)(3)",

(2) by striking "(e), (f)", and inserting "(b)(3), (e)",

(3) by striking ", F.",

(4) by striking "306(a)(6)(P), 307(a)(12)," and inserting "307(a)(12)",

(5) by inserting "subpart 3 of part C," after "311", and

(6) by striking "105 percent" and inserting "102 percent".

(h) AUTHORIZATION FOR PART H (RELATING TO SUPPORTIVE ACTIVITIES FOR CAREGIVERS).—Section 303 of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended by adding at the end the following:

"(i) There are authorized to be appropriated \$15,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, to carry out part H (relating to supportive activities for caregivers)."

SEC. 133. ALLOTMENT; FEDERAL SHARE.

Section 304(a) of the Older Americans Act of 1965 (42 U.S.C. 3024(a)) is amended—

(1) in paragraph (2) by striking "1984" and inserting "1987",

(2) in paragraph (3) by striking "\$50,000" and inserting "\$150,000", and

(3) in paragraph (4) by striking "satisfactory data" and inserting "data available from the Bureau of the Census, and other reliable demographic data satisfactory to the Commissioner,"

SEC. 134. ORGANIZATION.

Section 305(a)(2) of the Older Americans Act of 1965 (42 U.S.C. 3025(a)(2)) is amended—

(1) in subparagraph (C)—

(A) by inserting "(as specified in section 202(a)(19))" after "statistics",

(B) by inserting "in the State" after "distribution", and

(C) by striking "individuals aged 60 and older in the State" and inserting the following:

"older individuals, low-income older individuals, frail older individuals, and low-income minority older individuals, and the access of such individuals (particularly individuals residing in rural areas) to services under this title", and

(2) in subparagraph (F)—

(A) by striking "the greatest economic or social needs" and inserting "greatest economic need (with particular attention to low-income minority individuals) and individuals with greatest social need", and

(B) by inserting a comma after "individuals".

SEC. 135. AREA PLANS.

Section 306(a) of the Older Americans Act of 1965 (42 U.S.C. 3026(a))—

(1) in paragraph (1) by inserting "eldercare," after "nutrition services",

(2) in paragraph (3)—

(A) by inserting "and facilities operated by organizations referred to in paragraph (6)(D)(ii)" after "centers", and

(B) by inserting before the semicolon at the end the following:

", and specify in grants, contracts, and agreements implementing such plan the identity of each focal point so designated",

(3) in paragraph (5)

(A) in subparagraph (A)—

(i) in clause (i) by striking "particular attention" and inserting "specific objectives for providing services", and

(ii) by amending clause (ii)(II) to read as follows:

"(II) to the maximum extent feasible, provide services to low-income minority individuals in accordance with their need for such services; and",

(B) in subparagraph (B)—

(i) by inserting "frail individuals," after "elderly", and

(ii) by inserting "and caregivers" after "such individuals";

(4) in paragraph (6)—

(A) in subparagraph (B) by inserting "and timely information" after "assistance";

(B) in subparagraph (D)—

(i) by inserting "(in cooperation with agencies, local governments, organizations, and individuals participating in activities under the area plan)" after "the community";

(ii) by adding "and" at the end;

(iii) by inserting "(i)" after "(D)"; and

(iv) by adding at the end the following:

"(i) promote the development in each community in the planning and service area of coalitions, comprised of individuals representing local governments, business and labor organizations, educational and religious organization, fraternal and civic associations, and community and nonprofit organizations that have the objective of implementing an action plan for eldercare designed to mobilize additional resources to meet the home- and community-based needs of older individuals at risk of losing their self-sufficiency;"

(C) in subparagraph (E)—

(i) by inserting "(i)" after "(E)";

(ii) by adding "and" after the semicolon at the end; and

(iii) by adding at the end the following:

"(ii) where possible regarding the provision of services under this title, enter into arrangements and coordinate with organizations which—

"(I) were officially designated as community action agencies or community action programs under section 210 of the Economic Opportunity Act of 1964 for fiscal year 1981; or

"(II) came into existence during fiscal year 1982 as a direct successors in interest to such community action agencies or community action programs;

and meet the requirements under section 675(c)(3) of the Community Services Block Grant Act, unless such organizations lost their designation under such section 210 as a result of failure to comply with the Economic Opportunity Act of 1964;"

(D) in subparagraph (I) by inserting "and eldercare" after "care services";

(E) in subparagraph (O) by striking "and" at the end; and

(F) by adding at the end the following:

"(Q) identify the needs of older individuals and describe methods the area agency will use to coordinate planning and delivery of transportation services (including the purchase of vehicles) to assist older individuals, including those with special needs, in the area; and

"(R) enter into voluntary arrangements with nonprofit entities that provide housing (such as housing under section 202 of the Housing Act of 1959 and under other public and private housing authorities) to older individuals, to provide—

"(i) leadership and coordination in the development, provision, and expansion of adequate housing, supportive services, referrals, and living arrangements for older individuals; and

"(ii) advance notification and nonfinancial assistance to older individuals who are subject to eviction from such housing;"

(5) in paragraph (9) by striking "and" at the end;

(6) in paragraph (10) by striking the period at the end and inserting a semicolon; and

(7) by adding at the end the following:

"(11) provide assurances that any amount received under part H will be expended in accordance with such part;

"(12) provide assurances that the area agency on aging will—

"(A) maintain the integrity and public purpose of services provided, and service providers, under this title in all contractual and commercial relationships;

"(B) disclose to the Commissioner and the State agency—

"(i) the identity of each nongovernmental entity with which such agency has a contract or commercial relationship relating to providing any service to older individuals; and

"(ii) the nature of such contract or such relationship;

"(C) demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this title by such agency has not and will not result from such contract or such relationship;

"(D) demonstrate that the quantity or quality of the services to be provided under this title by such agency will be enhanced as a result of such contract or such relationship; and

"(E) on the request of the Commissioner or the State, for the purpose of monitoring compliance with this Act (including conducting an audit), disclose all sources and expenditures of funds such agency receives or expends to provide services to older individuals;

"(13) provide assurances that funds received under this title will not be used to pay any part of a cost (including an administrative cost) incurred by the area agency to carry out a contract or commercial relationship that is not carried out to implement this title;

"(14) provide assurances that preference in receiving services under this title will not be given by the area agency on aging to particular older individuals as a result of a contract or commercial relationship that is not carried out to implement this title;

"(15) provide assurances that projects in the area will be given nutritional assistance and guidance to reasonably accommodate participants as described in section 307(a)(13)(G); and

"(16) provide assurances that the area agency will, to the maximum extent practicable, coordinate the services it provides under this title with services provided under title VI."

SEC. 136. STATE PLANS.

(a) REQUIREMENTS OF PLAN.—Section 307(a) of the Older Americans Act of 1965 (42 U.S.C. 3072(a)) is amended—

(1) in the first sentence by inserting "the succeeding sentence and" after "provided in";

(2) by inserting after the first sentence the following:

"If the Commissioner determines, in the discretion of the Commissioner, that a State failed in 2 successive years to comply with the requirements under this title, then the State shall submit to the Commissioner a State plan for a 1-year period that meets such criteria, for subsequent years until the Commissioner determines that the State is in compliance with such requirements."

(3) in paragraph (3)(A) by inserting "and transportation" after "legal";

(4) in paragraph (5) by adding at the end the following:

"The State agency shall establish and publish procedures for requesting and conducting such hearing."

(5) in paragraph (7)—

(A) by inserting "(A)" after "(7)", and

(B) by adding at the end the following:

"(B) The plan shall provide assurances that—

"(i) no individual (appointed or otherwise) involved in the designation of the State agency or an area agency on aging, or in the designation of the head of any subdivision of the State agency or of an area agency on aging, is subject to a conflict of interest prohibited under this Act;

"(ii) no officer, employee, or other representative of the State agency or an area agency on aging is subject to a conflict of interest prohibited under this Act; and

"(iii) mechanisms are in place to identify and remove conflicts of interest prohibited under this Act.

"(C) The plan shall provide assurances that the State agency and each area agency on aging will—

"(i) maintain the integrity and public purpose of services provided, and service providers, under the State plan in all contractual and commercial relationships;

"(ii) disclose to the Commissioner—

"(I) the identity of each nongovernmental entity with which the State agency or area agency on aging has a contract or commercial relationship relating to providing any service to older individuals; and

"(II) the nature of such contract or such relationship;

"(iii) demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this Act by such agency has not and will not result from such contract or such relationship;

"(iv) demonstrate that the quantity or quality of the services to be provided under the State plan will be enhanced as a result of such contract or such relationship; and

"(v) on the request of the Commissioner, for the purpose of monitoring compliance with this Act (including conducting an audit), disclose all sources and expenditures of funds the State agency and area agency on aging receive or expend to provide services to older individuals."

(6) in paragraph (11) by striking "governments," and all that follows through "older", and inserting the following:

"governments—

"(A) preference shall be given to older individuals; and

"(B) special consideration shall be given to individuals with formal training in the field of aging (including an educational specialty or emphasis in aging and a training degree or certificate in aging) or equivalent professional experience in the field of aging;"

(7) in paragraph (12)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i) by striking "program which provides" and all that follows through "basis—", and inserting the following:

"program. The Office shall be headed by an individual who has expertise and experience in the field of long-term care and shall be known as the State Long-Term Care Ombudsman. The State Long-Term Care Ombudsman, personally or through other representatives of the Office, shall—"

(ii) in clause (ii) by striking "staff and volunteers and promote" and inserting "representatives of the Office and promote";

(iii) by redesignating clauses (ii) and (iii) as clauses (vi) and (vii), respectively, and

(iv) by inserting after clause (i) the following:

"(ii) provide services to assist such residents to protect their health, safety, well-being, and rights;

"(iii) ensure that such residents have regular and timely access to the services pro-

vided through the Office and receive from representatives of the Office timely responses to requests for such services;

"(iv) provide representation of such residents' interests through administrative, legal, and other actions;

"(v) provide administrative and technical assistance to entities designated under subparagraph (H)(vi) to assist such entities to participate in the State long-term care ombudsman program;"

(B) in subparagraph (B)—

(i) by striking "establish" and all that follows through "including", and inserting the following:

"ensure that representatives of the Office have immediate access to residents of long-term care facilities and have appropriate access to the records of such residents. Upon receipt of complaints, the State Long-Term Care Ombudsman personally shall have immediate access to such records of residents. The State agency shall establish procedures applicable to such access and"

(ii) by striking "written", and

(iii) by inserting after "resident" the last place it appears the following:

"(given in writing, or given orally by such complainant or resident and documented contemporaneously in a writing made by a representative of the Office in accordance with requirements the State agency shall establish)"

(C) in subparagraph (D)—

(i) in the matter preceding clause (i)—

(I) by striking "to assure" and all that follows through "such files", and inserting the following:

"relating to the disclosure of files maintained by the ombudsman program and providing that such files may be disclosed only at the discretion of the State Long-Term Care Ombudsman (or the designee of such Ombudsman) and only in accordance with such procedures", and

(II) by striking "by such ombudsman",

(i) in clause (i)—

(I) by inserting "there is consent by" after "(i)", and

(II) by striking ", consents in writing" and inserting the following:

"(given in writing, or given orally by such complainant, resident, or representative and documented contemporaneously in a writing made by a representative of the Office in accordance with requirements the State agency shall establish)"

(D) in subparagraph (H)—

(i) in clause (iii)—

(I) by inserting "(I)" after "(iii)",

(II) by inserting "and" after the semicolon at the end, and

(III) by adding at the end the following:

"(II) make available to the public, and submit to the Commissioner, the chief executive officer of the State, the State legislature, the State agency responsible for licensing or certifying long-term care facilities, and other appropriate governmental entities, each report prepared under clause (i);", and

(i) in clause (iv) by inserting ", in accordance with the standards in effect under section 202(a)(24)", after "provide", and

(E) in subparagraph (J)—

(i) in clause (ii)—

(I) by striking "employee for having filed" and inserting "other person for filing", and

(II) by striking "or providing information to", and inserting "providing information to, or otherwise cooperating with any representative of", and

(i) in clause (iv)(I) by inserting "immediate" after "(I)",

(8) in paragraph (13)—

(A) in subparagraph (B)(i) by inserting "(other than section 303(b)(3))" after "this title",

(B) in subparagraph (F)—

(i) by striking "may" and inserting "will", and

(ii) by inserting "dietitians," after "advice of",

(C) in subparagraph (H) by striking "and" at the end,

(D) in subparagraph (I) by striking the period at the end and inserting a semicolon, and

(E) by adding at the end the following:

"(J) the State agency will monitor, coordinate, and assist in the planning of nutritional services, with the advice of a dietitian; and

"(K) the State agency will—

"(i) develop nonfinancial criteria for eligibility to receive nutrition services under section 336; and

"(ii) periodically evaluate recipients of such services to determine whether they continue to meet such criteria."

(9) in paragraph (15)(A)—

(A) by striking "and (iii)" and inserting "(iii)", and

(B) by inserting before the semicolon at the end the following: ", and (iv) give priority to providing legal assistance relating to income, health care, long-term care, nutrition, housing, utilities, protective services, and age discrimination"

(10) in paragraph (16)—

(A) in the matter preceding subparagraph (A) by striking "that whenever" and all that follows through "individuals—", and inserting "assurances that with respect to services to prevent elder abuse—",

(B) in subparagraph (A) by striking "the plan contains assurances that", and

(C) in subparagraph (C) by striking "unless" and all that follows through "agency.", and inserting the following:

"unless—

"(i) all parties to such complaint consent in writing to the release of such information;

"(ii) the release of such information is to a law enforcement agency, public protective service agency, licensing, or certification agency, ombudsman program, or protection or advocacy system; or

"(iii) upon court order.", and

(11) in paragraph (26) by inserting "and eldercare" after "care services",

(12) in paragraph (31)(A)—

(A) in the matter preceding clause (i) by striking "for fiscal year 1989"; and

(B) in clause (i) by striking "(as defined in section 302(20))" and inserting "and individuals with greatest social need", and

(13) by adding at the end the following:

"(32) The plan shall provide assurances that funds received under this title will not be used to pay any part of a cost (including an administrative cost) incurred by the State or an area agency on aging to carry out a contract or commercial relationship that is not carried out to implement this title.

"(33) The plan shall provide assurances that preference in receiving services under this title will not be given by the area agency on aging to particular older individuals as a result of a contract or commercial relationship that is not carried out to implement this title.

"(34) The plan shall provide assurances that special efforts will be made to provide technical assistance to minority providers of services under this title.

"(35) The plan—

"(A) shall include the statement and the demonstration required by paragraphs (2) and (4) of section 305(d); and

"(B) may not be approved unless the Commissioner approves such statement and such demonstration.

"(36) The plan shall provide assurances that if the State receives funds appropriated under section 303(i) the State agency and area agencies on aging will expend such funds to carry out part H.

"(37) The plan shall provide assurances that demonstrable efforts will be made—

"(A) to coordinate services provided under this Act with other State services which benefit older individuals; and

"(B) to provide multigenerational activities, such as opportunities for older individuals to serve as mentors or advisors in childcare, daycare, educational assistance, at-risk youth intervention, juvenile delinquency treatment, and family support programs);

"(38) The plan shall provide assurances that the state will coordinate public services within the state to assist older individuals to obtain transportation services associated with access to services provided under this title, services under titles III and VI, comprehensive counseling services, and legal assistance.

"(39) The plan shall provide that the State agency will provide for an informal procedure to review, on the request of an older individual, a refusal to provide to such individual a service under this title."

(b) APPROVAL OF STATE PLAN.—Section 307(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3017(b)(1)) is amended by inserting before the period at the end the following: ", except the Commissioner may not approve such plan unless the Commissioner determines that the formula submitted under section 305(a)(2)(D) complies with the guidelines in effect under section 305(a)(2)(C)"

(c) DETERMINATION OF DISAPPROVAL.—Section 307(c) of the Older Americans Act of 1965 (42 U.S.C. 3027(c)) is amended—

(1) by inserting "(1)" after "(c)", and

(2) by adding at the end the following:

"(2) Not later than 30 days after such final determination, a State dissatisfied with such final determination may appeal such final determination to the Secretary for review. If the State timely appeals such final determination in accordance with subsection (e)(1), the Secretary shall dismiss the appeal filed under this paragraph.

"(3) If the State is dissatisfied with the decision of the Secretary after review under paragraph (2), the State may appeal such decision not later than 30 days after such decision and in the manner described in subsection (e). For purposes of appellate review under the preceding sentence, a reference in subsection (e) to the Commissioner shall be deemed to be a reference to the Secretary."

(d) TECHNICAL AMENDMENT.—Section 307 of the Older Americans Act of 1965 (42 U.S.C. 3027) is amended by striking subsection (f).

(e) PROTECTION OF COMMERCIAL INFORMATION.—Section 307(g) of the Older Americans Act of 1965 (42 U.S.C. 3027(g)) is amended—

(1) by striking "(g)" and inserting "(f)(1)", and

(2) by adding at the end the following:

"(2) Information disclosed under section 306(12)(B)(i) or subsection (a)(7)(C)(ii)(I) may be disclosed to the public by the State agency or the State only if such information could be disclosed under section 552 of title 5, United States Code, by an agency of the United States."

SEC. 137. PLANNING, COORDINATION, EVALUATION, AND ADMINISTRATION OF STATE PLANS.

Section 308 of the Older Americans Act of 1965 (42 U.S.C. 3028) is amended—

(1) in subsection (a)(3) by inserting "been" after "which has", and

(2) in subsection (b)—

(A) in the first sentence of paragraph (4)—
(i) by striking "received under section 303(b)(1) and (2), a" and inserting "received by a State and attributable to funds appropriated under paragraph (1) or (2) of section 303(b), the", and

(ii) by striking "a portion of the funds appropriated" and inserting "not more than 30 percent of such funds", and

(B) by amending paragraph (5) to read as follows:

"(5)(A) Notwithstanding any other provision of this title and except as provided in subparagraph (B), of the funds received by a State attributable to funds appropriated under subsection (a)(1), and paragraphs (1) and (2) of subsection (b), of section 303, the State may elect to transfer not more than 30 percent for fiscal year 1992, not more than 25 percent for fiscal year 1993, not more than 25 percent for fiscal year 1994, and not more than 20 percent for fiscal year 1995, between programs under part B and part C, for use as the State considers appropriate. The State shall notify the Commissioner of any such election.

"(B) If a State demonstrates, to the satisfaction of the Commissioner, that funds available under this title (including funds transferred under subparagraph (A) without regard to this subparagraph) for fiscal year 1993, 1994, or 1995 are insufficient to satisfy the need for services under this title, then the Commissioner may grant a waiver that permits the State to transfer under subparagraph (A) to satisfy such need an additional 5 percent of the funds so received for such fiscal year."

SEC. 138. DISASTER RELIEF REIMBURSEMENTS.

Subsections (a)(2) and (b) of section 310 of the Older Americans Act of 1965 (42 U.S.C. 3030) are each amended—

(1) by striking "5 percent" each place it appears and inserting "2 percent", and

(2) by striking "for carrying out the purposes of section 422" each place it appears and inserting "to carry out title IV".

SEC. 139. AVAILABILITY OF SURPLUS COMMODITIES.

Section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a) is amended—

(1) in subsection (a)(4)—

(A) in the first sentence by inserting "(A)" after "(4)",

(B) by striking "56.76 cents" and all that follows through "1991", and inserting "65.66 cents per meal, as adjusted in accordance with subparagraph (B), during fiscal years 1992 through 1995", and

(C) by adding at the end the following:

"(B) For each of the fiscal years 1993, 1994, and 1995, the annually programmed level of assistance required by subparagraph (A) shall be the annually programmed level of assistance required under such subparagraph for the preceding fiscal year adjusted to reflect—

"(i) an increase of 2 percent; or

"(ii) the percentage increase (if any) in the food-away-from-home component of the Consumer Price Index For All Urban Consumers (published by the Bureau of Labor Statistics) during the 1-year period ending July 1 preceding the fiscal year for which the adjustment is made;

whichever is greater.", and

(2) in subsection (c)(1)(A) by striking "\$151,000,000" and all that follows through "1991", and inserting "\$250,000,000 for fiscal year 1992, \$310,000,000 for fiscal year 1993, \$380,000,000 for fiscal year 1994, and \$460,000,000 for fiscal year 1995".

SEC. 140. SUPPORTIVE SERVICES AND SENIOR CENTERS.

Section 321(a) of the Older Americans Act of 1965 (42 U.S.C. 3030d(a)) is amended—

(1) in paragraph (3) by inserting before the semicolon at the end the following: ", including language translation services to assist older individuals with limited-English speaking ability to obtain services under this title",

(2) in paragraph (4)—

(A) by striking "or (C)" and inserting "(C)", and

(B) by inserting "; or (D) to receive applications from older individuals for housing under section 202 of the Housing Act of 1959" before the semicolon at the end,

(3) in paragraph (6)—

(A) by inserting ", a variety of advice and informational services about the rights of older individuals (including information and referral on legal matters)," after "legal assistance", and

(B) by inserting "(including counseling relating to pension rights and benefits)" after "financial counseling", and

(4) in paragraph (17) by inserting ", including information concerning prevention, diagnosis, and treatment of age-related diseases" before the semicolon at the end.

SEC. 141. SCHOOL-BASED MEALS FOR OLDER INDIVIDUALS AND MULTIGENERATIONAL PROGRAMS.

(a) PROGRAM AUTHORIZED.—Part C of title III of the Older Americans Act of 1965 (42 U.S.C. 3030e-3030g) is amended by adding at the end the following:

"Subpart 3—School-Based Meals for Older Individuals and Multigenerational Programs
"PROGRAM AUTHORIZED

"SEC. 338. The Commissioner shall carry out a program for making grants to States under State plans approved under section 307 for the establishment and operation of projects that—

"(1) are carried out in elementary and secondary schools;

"(2) provide to older individuals hot meals, each of which assures a minimum of one-third of the dietary allowances as established by the Food and Nutrition Board of the National Academy of Sciences-National Research Council, at such schools—

"(A) while such schools are in session;

"(B) during the summer; and

"(C) unless waived by the State involved, on the weekdays in the school year when such schools are not in session;

"(3) provide multigenerational activities in which older individuals and students interact at such schools;

"(4) provide social and recreational activities for older individuals at such schools;

"(5) develop and maintain 'skill banks' in which information on the skills and preferred activities of older individuals is maintained and made available to school officials for purposes of providing opportunities for such individuals to serve as tutors, teacher aids, living historians, special speakers, playground supervisors, lunchroom assistants, and assistants in such schools; and

"(6) provide opportunities for older individuals to participate in school activities (such as classes, dramatic programs, and assemblies) and use school facilities (such as cafeterias, libraries, gymnasiums, and auditoriums).

"APPLICATION AND SELECTION OF PROVIDERS

"SEC. 339. (a) To be eligible to carry out a project under the program established under section 338 by the Commissioner, an entity shall submit an application to the State agency designated under section 305(a)(1). Such application shall include—

"(1) a plan describing the project proposed by the applicant and comments, obtained from the appropriate area agency on aging and the appropriate local educational agency, on such plan;

"(2) an assurance that funds received from subpart 3 through the State agency to carry out such project will be expended for not more than 85 percent of the cost of carrying out such project;

"(3) an assurance that not less than 15 percent of such costs shall be paid, in cash or in kind, from non-Federal sources;

"(4) a demonstration of the need for such project, including a description of—

"(A) the nutrition services and other services currently provided under this Act in the geographical area to be served by such project; and

"(B) how such project will be coordinated with such services; and

"(5) such other information and assurances as the Commissioner may require by rule.

"(b) SELECTION AMONG APPLICANTS.—In selecting among entities that submit applications under subsection (a) for a fiscal year, the State agency shall—

"(1) first, give priority to entities that carried out a project under this subpart in the preceding fiscal year;

"(2) second, give priority to entities that carried out a nutrition project under subpart 1 in the preceding fiscal year; and

"(3) third, give priority to entities whose applications include a plan that involves a school with greatest need (as evidenced by such facts as the dropout rate, the level of substance abuse, and the number of children who have limited English-speaking ability or who participate in programs under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 or the National School Lunch Act).

"REPORTS BY STATES

"SEC. 339A. (a) Not later than 60 days after the end of a fiscal year for which a State receives a grant under this subpart, such State shall submit to the Commissioner a report evaluating the projects carried out under this subpart by such State in such fiscal year. Such report shall include a description of—

"(1) who was served in such project;

"(2) which multigenerational activities were carried out in such project;

"(3) additional needs of older individuals and students; and

"(4) any appropriate modification of such project to satisfy such needs.

"(b) Not later than 120 days after each fiscal year for which funds are appropriated to carry out this subpart the Commissioner shall submit to the Speaker of the House and the President pro tempore of the Senate a report summarizing, with respect to each State, the reports submitted under subsection (a) for such fiscal year."

(b) LIMITATION ON ADMINISTRATIVE COSTS.—Section 303(c) of the Older Americans Act of 1965 (42 U.S.C. 3023(c)) is amended—

(1) by striking "parts B and C" and inserting "part B, and subparts 1 and 2 of part C", and

(2) in paragraph (2) by inserting "under subparts 1 and 2 of part C" after "nutrition services".

SEC. 142. PREVENTIVE HEALTH SERVICES.

(a) CONFORMING AMENDMENT.—The heading of part F of title III of the Older Americans Act of 1965 (42 U.S.C. 3030m–3030o) is amended to read as follows:

"PART F—DISEASE PREVENTION AND HEALTH PROMOTION SERVICES".

(b) PROGRAM AUTHORIZED.—Section 361 of the Older Americans Act of 1965 (42 U.S.C. 3030m) is amended—

(1) in subsection (a) by striking "for periodic" and all that follows through "appropriate", and inserting the following: "to provide disease prevention and health promotion services (including information) at senior centers and other appropriate sites, and through programs that provide nutrition services under part C"; and

(2) in subsection (b)—

(A) by striking "Preventive health" and inserting "Disease prevention and health promotion"; and

(B) by striking "Medicare" and inserting "title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.)".

(c) DEFINITION.—Section 363 of the Older Americans Act of 1965 (42 U.S.C. 3030o) is amended to read as follows:

"DEFINITION

"SEC. 363. For purposes of this part, the term 'disease prevention and health promotion services' means—

"(1) health risk assessments;

"(2) routine health and nutrition screening, including hypertension, glaucoma, cholesterol, cancer, vision, and hearing screening;

"(3) nutritional counseling and educational services;

"(4) health promotion programs, including programs specifically relating to osteoporosis and cardiovascular disease prevention, alcohol abuse reduction, smoking cessation, weight loss and control, and stress management;

"(5) group exercise programs;

"(6) home injury control services, including screening of high-risk home environments and provision of educational programs on injury prevention in the home environment (including fall and fracture prevention);

"(7) screening for the prevention of depression, coordination of community mental health services, provision of educational activities, and referral to psychiatric and psychological services;

"(8) educational programs on the availability of benefits payable under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for preventive health services;

"(9) medication management screening and education to prevent incorrect medication and adverse drug reactions;

"(10) information concerning diagnosis, prevention and treatment of age-related diseases, including osteoporosis, cardiovascular diseases and Alzheimer's disease; and

"(11) counseling regarding social services and followup health services based on any of the services described in paragraphs (1) through (10)."

SEC. 143. PREVENTION OF ABUSE, NEGLECT, AND EXPLOITATION OF OLDER INDIVIDUALS.

Section 371 of the Older Americans Act 1965 (42 U.S.C. 3030p) is amended—

(1) in the first sentence by inserting "through the National Center on Elder Abuse," after "out" the first place it appears,

(2) in paragraph (2)(C) by striking "conferences," and

(3) in paragraph (4)—

(A) in subparagraph (A) by striking "or" at the end,

(B) in subparagraph (B) by striking the period at the end and inserting "; or", and

(C) by adding at the end the following:

"(C) upon court order."

SEC. 144. SUPPORTIVE ACTIVITIES FOR CAREGIVERS WHO PROVIDE IN-HOME SERVICES TO FRAIL OLDER INDIVIDUALS.

Title III of the Older Americans Act of 1965 (42 U.S.C. 3021–3030p) is amended by adding at the end the following:

"PART H—SUPPORTIVE ACTIVITIES FOR CAREGIVERS WHO PROVIDE IN-HOME SERVICES TO FRAIL OLDER INDIVIDUALS

"PROGRAM AUTHORIZED

"SEC. 381. The Commissioner shall carry out a program for making grants to States under State plans approved under section 307 to carry out a program to provide supportive activities for caregivers who provide in-home services to frail older individuals. Such supportive activities may include—

"(1) providing training and counseling for such caregivers;

"(2) technical assistance to such caregivers to assist them to form or to participate in support groups;

"(3) providing information—

"(A) to frail older individuals and their families regarding how to obtain in-home services and respite services; and

"(B) to caregivers who provide such services, regarding—

"(i) how to provide such services; and

"(ii) sources of nonfinancial support available to them as a result of their providing such services; and

"(4) maintaining lists of individuals who provide respite services for the families of frail older individuals.

"DEFINITION

"SEC. 382. For purposes of this part, the term 'in-home services' has the meaning given such terms in section 342.

"MAINTENANCE OF EFFORT

"SEC. 383. Section 344 shall apply with respect to funds made available under this part, in the same manner as such section applies to funds made available under part D."

Subtitle D—Training, Research, and Discretionary Projects and Programs

SEC. 161. STATEMENT OF PURPOSE.

Section 401 of the Older Americans Act of 1965 (42 U.S.C. 3030aa) is amended in the matter preceding paragraph (1) by inserting "and for public dissemination, to replicate such programs and services under this Act" after "individuals".

SEC. 162. ADMINISTRATION.

Section 402 of the Older Americans Act of 1965 (42 U.S.C. 3030bb) is amended by adding at the end the following:

"(d) The Commissioner shall ensure that grants and contracts awarded under this title—

"(1) are evaluated for their benefit to older individuals, to programs under this Act; and

"(2) comply with the requirements under this Act."

SEC. 163. GRANTS AND CONTRACTS.

Section 411(a) of the Older Americans Act of 1965 (42 U.S.C. 3031(a)) is amended—

(1) in paragraph (1) by inserting "gerontology," after "(including mental health) care," and

(2) in paragraph (2) by inserting "and counseling" after "nutrition".

SEC. 164. MULTIDISCIPLINARY CENTERS OF GERONTOLOGY.

Section 412(a) of the Older Americans Act of 1965 (42 U.S.C. 3032(a)) is amended—

(1) in the first sentence by inserting "counseling services," after "maintenance," and

(2) in paragraph (4) by inserting "social work," after "education,".

SEC. 165. CAREER PREPARATION FOR THE FIELD OF AGING.

Part A of title IV of the Older Americans Act of 1965 (42 U.S.C. 3032) is amended by adding at the end the following:

"CAREER PREPARATION FOR THE FIELD OF AGING

"SEC. 413. (a) The Commissioner shall make grants to institutions of higher education, historically Black colleges or universities, Hispanic Centers of Excellence in Health Professions Education, and other educational institutions that serve the needs of minority students, to provide education and training to prepare students for careers in the field of aging.

"(b) For purposes of subsection (a)—

"(1) the term 'Hispanic Centers of Excellence in Health Professions Education' has the meaning given such term in section 782(d)(2) of the Public Health Service Act;

"(2) the term 'historically Black college or university' has the meaning given the term 'part B institution' in section 322(2) of the Higher Education Act of 1965; and

"(3) the term 'institution of higher education' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965."

SEC. 166. PENSION INFORMATION AND COUNSELING DEMONSTRATION PROJECTS.

Part A of title IV of the Older Americans Act of 1965 (42 U.S.C. 3030aa–3032), as amended by section 165, is amended by adding at the end the following:

"PENSION INFORMATION AND COUNSELING DEMONSTRATION PROJECTS

"SEC. 414. (a) The Commissioner may make grants to public agencies, and nonprofit private organizations, with a creditable record of providing pension information and counseling, to carry out demonstration projects to provide to older individuals information, counseling, referral, and similar assistance relating to pension benefits. In selecting recipients of such grants, the Commissioner shall consider the advice of representatives of businesses, of labor organizations, and of national organizations that advocate the well-being of older individuals.

"(b) The Commissioner may make grants to public agencies and nonprofit private organizations that have experience in providing nationwide information, referral, and advocacy services relating to retirement income and pension matters, to provide pension-related training and information to staff of focal points."

SEC. 167. FORECLOSURE AND EVICTION ASSISTANCE AND RELIEF SERVICES DEMONSTRATION PROJECTS.

Part A of title IV of the Older Americans Act of 1965 (42 U.S.C. 3030aa–3032), as amended by sections 165 and 166, is amended by adding at the end the following:

"FORECLOSURE AND EVICTION ASSISTANCE AND RELIEF SERVICES DEMONSTRATION PROJECTS

"SEC. 415. (a) The Commissioner shall make grants to States to carry out demonstration projects to develop methods or implement laws—

"(1) to prevent or delay the foreclosure on housing owned and occupied by older individuals and the eviction of older individuals from housing they rent;

"(2) to obtain alternative housing as a result of such foreclosure or eviction; and

"(3) to assist older individuals to understand their rights and obligations under laws relating to housing ownership and occupancy.

"(b) A State that receives a grant under subsection (a) shall establish methods, including a notification process—

"(1) to assist older individuals who are incapable of understanding the circumstances and consequences of foreclosure on or eviction from housing they occupy; and

"(2) to coordinate the project for which such grant is received with the activities of tenant organizations, tenant-landlord mediation organizations, public housing entities, and area agencies on aging, to provide more effectively assistance or referral to services to relocate or prevent eviction of older individuals from housing they occupy.

"(c) Each State that receives a grant under subsection (a) shall submit to the Commissioner an evaluation of the project carried out with such grant.

"(d) The Commissioner shall submit, as part of the annual report submitted under section 207, a report on the evaluations received under subsection (c) and shall include in such report such recommendations as the Commissioner considers to be appropriate."

SEC. 168. DEMONSTRATION PROJECTS.

Section 422 of the Older Americans Act of 1965 (42 U.S.C. 3035a) is amended—

(1) in subsection (a)(2) by striking "preventive health" and inserting "disease prevention and health promotion", and

(2) in subsection (b)—

(A) in paragraph (8) by striking "and" at the end,

(B) in paragraph (9) by striking the period at the end and inserting "; and", and

(C) by adding at the end the following:

"(10) meet the needs of older individuals who provide uncompensated care to their adult children with disabilities, for supportive services relating to such care, including—

"(A) respite services; and

"(B) legal advice, information, and referral services to assist such older individuals with permanency planning for such children."

SEC. 169. SPECIAL PROJECTS IN COMPREHENSIVE LONG-TERM CARE.

The second sentence of section 423(a)(3) of the Older Americans Act of 1965 (42 U.S.C. 3035b(a)(3)) is amended by striking "preventive health services" and inserting "disease prevention and health promotion services; rehabilitative services".

SEC. 170. DEMONSTRATION PROJECTS FOR MULTIGENERATIONAL ACTIVITIES.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034-3035g) is amended by adding at the end the following:

"DEMONSTRATION PROJECTS FOR MULTIGENERATIONAL ACTIVITIES

"SEC. 429. The Commissioner shall make grants and enter into contracts, to carry out demonstration projects to provide for older individuals multigenerational activities, such as opportunities to serve as mentors or advisors in child care, daycare, educational assistance, at-risk youth intervention, juvenile delinquency treatment, and family support programs."

SEC. 171. PRIVATE RESOURCE ENHANCEMENT PROJECTS.

Part B of title IV of the Older Americans Act of 1965 (42 U.S.C. 3034-3035g), as amended by section 170, is amended by adding at the end the following:

"PRIVATE RESOURCE ENHANCEMENT PROJECTS

"SEC. 430. (a)(1) The Commissioner may make grants to State agencies designated under section 305(a)(1) and area agencies on aging designated under section 305(a)(2), to carry out demonstration projects that generate non-Federal resources (including cash and in-kind contributions), in order to increase resources available to provide additional services under title III.

"(2) Resources generated with a grant made under subsection (a) shall be in addition to, and may not be used to supplant, any resource that is or would otherwise be available under any Federal, State, or local law to a State, State agency, or unit of general purpose local government to provide such services.

"(3) Resources generated with a grant made under subsection (a) shall be used to provide supportive services in accordance with title III. The requirements under this Act that apply to funds received under title III by States to carry out title III shall apply with respect to such resources.

"(b)(1) The Commissioner shall ensure that States and area agencies in all standard Federal regions of the United States, established by the Office of Management and Budget, receive grants and contracts under subsection (a) on an equitable basis.

"(2) Within such regions, the Commissioner shall give preference to applicants that provide services under title III in geographical areas that contain a large number of older individuals with greatest economic need or individuals with greatest social need.

"(c) The Commissioner shall monitor how—

"(1) grants are expended, and contracts are carried out, under subsection (a); and

"(2) resources generated under such grants and contracts are expended; to ensure compliance with this section."

SEC. 172. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL AUTHORIZATION.—Section 431(a) of the Older Americans Act of 1965 (42 U.S.C. 3037(a)) is amended—

(1) in paragraph (1) by striking "427 and 428" and all that follows through "1991", and inserting "413, 414, 415, 427, 428, 429, and 430" \$72,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995",

(2) in paragraph (2)—

(A) by striking "1989" and inserting "1992", and

(B) by striking the last sentence,

(3) in paragraph (3)—

(A) by striking "is" and inserting "are", and

(B) by striking "\$2,000,000 for each of the fiscal years 1989 and 1990" and inserting "\$1,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995",

(4) by redesignating paragraphs (2) and (3) as paragraphs (5) and (6), respectively,

(5) by inserting after paragraph (1) the following:

"(2) Subject to subsection (b), there are authorized to be appropriated \$1,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995 to carry out the provisions of section 413.

"(3) Subject to subsection (b), there are authorized to be appropriated \$1,500,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995 to carry out the provisions of section 414.

"(4) Subject to subsection (b), there are authorized to be appropriated \$2,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995 to carry out the provisions of section 415.", and

(6) by adding at the end the following:

"(7) Subject to subsection (b), there are authorized to be appropriated \$10,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995 to carry out the provisions of section 429.

"(8) Subject to subsection (b), there are authorized to be appropriated \$15,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995 to carry out the provisions of section 430."

(b) LIMITATION ON AUTHORIZATION.—Section 431(b) of the Older Americans Act of 1965 (42 U.S.C. 3037(b)) is amended—

(1) by striking "427 and 428" and inserting "413, 414, 415, 427, 428, 429, and 430", and

(2) by striking "105 percent" and inserting "102 percent".

SEC. 173. RESPONSIBILITIES OF COMMISSIONER.

Section 433 of the Older Americans Act of 1965 (42 U.S.C. 3037b) is amended—

(1) by amending subsection (b) to read as follows:

"(b)(1) Not later than January 1 following each fiscal year, the Commissioner shall submit, to the Speaker of the House of Representatives and the President pro tempore of the Senate, a report for such fiscal year that describes each project—

"(A) for which funds were provided under this title; and

"(B) that was completed in the fiscal year for which such report is prepared;

"(2) Such report shall contain—

"(A) the name or descriptive title of each project;

"(B) the name and address of the person or governmental entity that conducted such project;

"(C) a specification of the period throughout which such project was conducted;

"(D) the identity of each source of funds expended to carry out such project and the amount of funds provided by each such source;

"(E) an abstract describing the nature and operation of such project; and

"(F) a bibliography identifying all published information relating to such project.", and

(2) by adding at the end the following:

"(c)(1) The Commissioner shall establish by regulation and implement a process to evaluate the results of projects and programs carried out under this title.

"(2) The Commissioner shall—

"(A) make available to the public each evaluation carried out under paragraph (1); and

"(B) use such evaluation to improve services delivered, or the operation of programs and projects carried out, under this Act."

Subtitle E—Community Service Employment for Older Americans

SEC. 181. OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM.

Section 502 of the Older American Community Service Employment Act (42 U.S.C. 3056) is amended—

(1) in subsection (a) by inserting "who have poor employment prospects and" after "persons";

(2) in subsection (b)(1)—

(A) in subparagraph (M) by inserting ", and eligible individuals who have greatest economic need, at least" after "individuals",

(B) by redesignating subparagraphs (N) and (O) as subparagraphs (O) and (P), respectively, and

(C) by inserting after subparagraph (M) the following:

"(N)(i) will prepare an assessment of—

"(I) the participants' skills and talents;

"(II) their need for supportive services described in section 321(a); and

"(III) their physical capabilities; except to the extent such project has, for the particular participant involved, an assessment of such skills and talents, such need, or such capabilities prepared recently pursuant to another employment or training program (such as the Job Training Partnership Act or the Carl D. Perkins Vocational and Applied Technology Education Act);

"(ii) will provide to eligible individuals training and employment counseling based on strategies that identify appropriate employment objectives and the need for supportive services described in section 321(a), developed as a result of the assessment provided for in clause (i); and

"(iii) will provide counseling to participants on their progress in meeting such objectives and satisfying their need for supportive services described in section 321(a);"

(3) in subsection (c)—

(A) in paragraph (1)(B) by striking "Director of the Office of Community Services of the Department" and inserting "Secretary";

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A) by striking "1987" and inserting "1991";

(ii) in subparagraph (A) by striking "may" and inserting "shall"; and

(iii) in subparagraph (B)(i) by inserting after "goals," the following:

"costs associated with coordinating projects under this title with employment and training programs under other Acts, costs associated with subparagraphs (N) and (O) of subsection (b)(1)."; and

(C) by adding at the end the following:

"Not later than 60 days after receiving a request from such agency or organization to make a determination under subparagraph (A) or (B), the Secretary shall make such determination."

(4) in subsection (d) by adding at the end the following:

"(3) Whenever a national organization or other program sponsor conducts a project under this title in the planning and service area of an area agency on aging designated under section 305(a)(2), such organization or program sponsor shall coordinate, to the maximum extent practicable, such project with the delivery of services provided in such area by such agency," and

(5) in subsection (e)(2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "Not" and all that follows through "1981, the", and inserting "The", and

(ii) by inserting ", and amend from time to time," after "issue";

(B) in subparagraph (A) by striking "and" at the end,

(C) in subparagraph (B) by striking the period at the end and inserting "; and";

(D) by adding at the end the following:

"(C) require the coordination of projects carried out under such agreements, with the programs carried out under section 124 of the Job Training Partnership Act, as amended from time to time."

SEC. 182. ADMINISTRATION.

The first sentence of section 503(b)(1) of the Older American Community Service Employment Act (42 U.S.C. 3056a(b)(1)) is amended—

(1) by striking "If" and all that follows through "authorized to", and inserting "The Secretary shall";

(2) by inserting after the first sentence the following:

"The Secretary shall coordinate the administration of this title with the administration of titles III, IV, and VI by the Commissioner on Aging, to increase the likelihood

that eligible individuals for whom employment opportunities under this title are available and who need services under such titles receive such services.", and

(3) by adding at the end the following:

"The preceding sentence shall not be construed to prohibit carrying out projects under this title jointly with programs, projects, or activities under any Act specified in such sentence."

SEC. 183. INTERAGENCY COOPERATION.

Section 505 of the Older American Community Service Employment Act (42 U.S.C. 3056b) is amended—

(1) in subsection (a) by striking "of the Administration", and

(2) by adding at the end the following:

"(d)(1) The Secretary shall promote and coordinate carrying out projects under this title jointly with programs, projects, or activities under other Acts that provide training and employment opportunities to eligible individuals.

"(2) The Secretary shall consult with the Secretary of Education to promote and coordinate carrying out projects under this title jointly with employment and training programs in which eligible individuals may participate that are carried out under the Carl D. Perkins Vocational and Applied Technology Education Act."

SEC. 184. EQUITABLE DISTRIBUTION OF ASSISTANCE.

Section 506(c) of the Older American Community Service Employment Act (42 U.S.C. 3056d(c)) is amended—

(1) by striking "and (2)" and inserting "(2)", and

(2) by inserting before the period at the end the following:

", and (3) the relative distribution of such individuals who are individuals with greatest economic need, minority individuals, and individuals with greatest social need".

SEC. 185. AUTHORIZATION OF APPROPRIATIONS.

Section 508(a) of the Older American Community Service Employment Act (42 U.S.C. 3056f(a)) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) \$470,671,000 for fiscal year 1992, and such sums as may be necessary for fiscal years 1993, 1994, and 1995; and",

(2) in paragraph (2) by striking "62,500" and inserting "70,000", and

(3) by striking "clause" and inserting "paragraph".

SEC. 186. DUAL ELIGIBILITY.

The Older American Community Service Employment Act (42 U.S.C. 3056-3056g) is amended by adding at the end the following:

"DUAL ELIGIBILITY"

"SEC. 510. In the case of projects under this title carried out jointly with programs carried out under the Job Training Partnership Act, eligible individuals shall be deemed to satisfy the requirements of section 203 such Act applicable to adults, as amended from time to time."

SEC. 187. TREATMENT OF ASSISTANCE PROVIDED UNDER THE OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT ACT.

The Older American Community Service Employment Act (42 U.S.C. 3056-3056g), as amended by section 186, is amended by adding at the end the following:

"TREATMENT OF ASSISTANCE PROVIDED UNDER THIS TITLE"

"SEC. 511. Assistance furnished under this title shall not be construed to be financial assistance described in section 245A(h)(1)(A) of the Immigration and Nationality Act."

Subtitle F—Grants for Native Americans

SEC. 191. GRANTS AUTHORIZED.

Section 613 of the Older Americans Act of 1965 (42 U.S.C. 3057d) is amended—

(1) by striking "The" and inserting "(a) Subject to subsection (b), the", and

(2) by adding at the end the following:

"(b) The Commissioner may not make a grant under subsection (a) in a particular fiscal year to an applicant that did not receive a grant under subsection (a) in fiscal year 1991 unless—

"(1) the Commissioner makes a grant under subsection (a) in such particular fiscal year to each eligible tribal organization—

"(A) that received a grant under subsection (a) in fiscal year 1991; and

"(B) whose application submitted under section 614(a) for such particular fiscal year is approved under section 614(c); and

"(2) the amount of the grant described in paragraph (1) is not less than the amount of the grant made under subsection (a) by the Commissioner in fiscal year 1991 to the tribal organization."

SEC. 192. APPLICATIONS BY TRIBAL ORGANIZATIONS.

(a) CONTENTS OF APPLICATIONS.—Section 614(a) of the Older Americans Act of 1965 (42 U.S.C. 3057e(a)) is amended—

(1) in paragraph (10) by striking "and" at the end,

(2) in paragraph (11) by striking the period at the end and inserting "; and", and

(3) by adding at the end the following:

"(12) contain assurances that the tribal organization will coordinate services provided under this part with services provided under title III in the same geographical area."

(b) LIMITATION ON AUTHORITY TO APPROVE APPLICATIONS.—Section 614(c) of the Older Americans Act of 1965 (42 U.S.C. 3057e(c)) is amended by striking "The Commission" and inserting "Subject to section 613(b), the Commissioner".

SEC. 193. APPLICATIONS BY ORGANIZATIONS SERVING NATIVE HAWAIIANS.

Section 624(a)(3) of the Older Americans Act of 1965 (42 U.S.C. 3057j) is amended by inserting "and with the activities carried out under title III in the same geographical area" before the semicolon at the end.

SEC. 194. AUTHORIZATION OF APPROPRIATIONS.

Section 633 of the Older Americans Act of 1965 (42 U.S.C. 3057n) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS"

"SEC. 633. (a) There are authorized to be appropriated \$30,000,000 for fiscal year 1992 and such sums as may be necessary for fiscal years 1993, 1994, and 1995, to carry out this title (other than section 615).

"(b) Of the amount appropriated under subsection (a) for each fiscal year—

"(1) 90 percent shall be available to carry out part A; and

"(2) 10 percent shall be available to carry out part B."

Subtitle G—Technical Corrections

SEC. 198. TECHNICAL AMENDMENTS.

(a) The Older Americans Act of 1965 (42 U.S.C. 3001-3057n) is amended—

(1) in section 101(8) by striking "the vulnerable elderly" and inserting "vulnerable older individuals";

(2) in section 201(c)(3)—

(A) in subparagraphs (A)(i), (B), (E), (F), and (G) by inserting "individuals who are" after "older" the first place it appears in each of such subparagraphs,

(B) in subparagraph (B) by striking "older Native Americans" the last place it appears and inserting "such individuals", and

(C) in subparagraph (E) by striking "the Act" and inserting "this Act",

(3) in section 202—

(A) in subsection (a)—

(i) in paragraph (1) by striking "the elderly" each place it appears and inserting "older individuals",

(ii) in paragraph (15)—

(I) by striking "the elderly" and inserting "older individuals", and

(II) by striking "older people" and inserting "such individuals", and

(iii) in paragraphs (13), (15), (16), and (17) by striking "purposes" and inserting "objectives",

(B) in subsection (b)—

(i) in paragraph (1) by striking "with health systems agencies designated under section 1515 of the Public Health Service Act (42 U.S.C. 3001-4)", and

(ii) in paragraph (3) by striking "the elderly" and inserting "older individuals",

(4) in section 203—

(A) in subsection (a) by striking "purposes" each place it appears and inserting "objectives", and

(B) in subsection (b) by striking "purposes" the second place it appears and inserting "objectives",

(5) in paragraphs (1), (3), and (4) of section 204(d), as amended by section 144(2), by striking "Americans" and inserting "individuals",

(6) in section 205(a)—

(A) by striking "purposes" and inserting "objectives", and

(B) by striking "to:" and inserting "to—",

(7) in section 207(a)(4) by striking "the greatest economic or social needs" and inserting "greatest economic need and older individuals with greatest social need",

(8) the last sentence of section 211 is amended by striking "purposes" and inserting "objectives",

(9) in section 301(a)(3) by striking "the vulnerable elderly" and inserting "vulnerable older individuals",

(10) in section 304(a)(1)—

(A) by striking "aged 60 or older" each place it appears, and inserting "of older individuals", and

(B) in the last sentence by striking "clause" and inserting "subparagraph",

(11) in section 305—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in subparagraph (C) by striking "purposes" and inserting "objectives",

(II) in subparagraph (D) by striking "the elderly" each place it appears and inserting "older individuals",

(III) in subparagraph (E) by striking "individuals aged 60 and older" and inserting "older individuals", and

(IV) in subparagraph (E) by striking "Indians" and inserting "individuals who are Indians", and

(ii) in paragraph (2)—

(I) in the matter preceding subparagraph (A) by striking "clause" and inserting "paragraph",

(II) in subparagraph (D) by striking "subclause" and inserting "subparagraph", and

(III) in subparagraph (E) by striking "the greatest economic or social needs" and inserting "greatest economic need and older individuals with greatest social need",

(B) in paragraphs (1), (2), and (4) of subsection (b) by striking "clause" each place it appears and inserting "paragraph", and

(C) in subsection (d) by striking "clause" and inserting "paragraph",

(12) in section 306—

(A) in subsection (a)—

(i) in paragraph (1) by striking "Indians" and inserting "individuals who are Indians",

(ii) in paragraph (2)(B) by striking "elderly" and inserting "older individuals who are", and

(iii) in paragraph (5)—

(I) in subparagraph (A)(i) by striking "the greatest economic or social needs" and inserting "greatest economic need and older individuals with greatest social need", and

(II) in subparagraph (B) by striking "rural elderly" and inserting "older individuals residing in rural areas", and

(iv) in paragraph (6)—

(I) in subparagraph (D) by striking "the elderly" each place it appears and inserting "older individuals",

(II) in subparagraph (G) by striking "clause" and inserting "paragraph",

(III) in subparagraph (N) by striking "Indians" the first place it appears and inserting "individuals who are Indians", and

(IV) in subparagraph (N) by striking "elder Indians in such area and shall inform such older Indians" and inserting "such individuals in such area and shall inform such individuals", and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by inserting "on aging" after "area agency" the first place it appears, and

(II) by striking "clause" each place it appears and inserting "paragraph", and

(ii) in paragraph (2)(D) by striking "clause" and inserting "paragraph",

(13) in section 307—

(A) in subsection (a)—

(i) in paragraph (8) by striking "the greatest economic or social needs" and inserting "greatest economic need and older individuals with greatest social need",

(ii) in paragraph (12)(K) by striking "subparagraph (G)(iv)" and inserting "subparagraph (H)(iv)",

(iii) in paragraph (13)—

(I) in subparagraph (A) by striking "individuals aged 60 or older" and inserting "older individuals",

(II) in subparagraph (A) by striking "the elderly" and inserting "older individuals",

(III) in subparagraph (B) by striking "subclause" and inserting "subparagraph", and

(IV) in subparagraph (I) by striking "elderly participants" and inserting "participating older individuals",

(iv) in paragraph (14)(D) by striking "clause" and inserting "subparagraph", and

(v) in paragraph (16)(B) by striking "clause" and inserting "paragraph", and

(B) in subsection (b)(2) by striking "clause" and inserting "paragraph",

(14) in paragraphs (3)(B)(iii) and (4) of section 308(b) by striking "purposes" each place it appears and inserting "objectives",

(15) in section 321(a)—

(A) in paragraph (4) by striking "elderly" and inserting "older",

(B) in paragraph (14) by striking "the older poor" and inserting "low-income older individuals", and

(C) in paragraph (15) by striking "clause" and inserting "paragraph",

(16) in the first sentence of section 351 by striking "purpose" and inserting "objectives",

(17) in section 402(b) by striking "Alcohol" and inserting "the Alcohol",

(18) in section 412(b) by striking "purposes" and inserting "objectives",

(19) in section 421(a) by striking "purposes" and inserting "objectives",

(20) in section 422—

(A) in the second sentence of subsection (a)(1) by striking "the rural elderly" and inserting "older individuals residing in rural areas",

(B) in subsection (b)—

(i) in paragraph (1) by striking "elderly" and inserting "older individuals who are",

(ii) in paragraph (2) by striking "the elderly" and inserting "older individuals",

(iii) in paragraph (6) by striking "the rural elderly" and inserting "older individuals residing in rural areas",

(iv) in paragraph (8) by striking "the rural elderly" and inserting "older individuals residing in rural areas",

(v) in paragraph (9)(A) by striking "intergenerational" and inserting "multigenerational", and

(vi) in paragraph (9)(B) by striking "elderly" and inserting "older individuals who are",

(21) in section 602 by striking "older Indians, older Alaskan Natives, and older Native Hawaiians" and inserting "older individuals who are Indians, Alaskan Natives, and Native Hawaiians",

(22) in section 611(a)—

(A) in the matter preceding paragraph (1) by inserting "individuals who are" after "older", and

(B) in paragraph (9) by striking "Indian elderly population" and inserting "population of older individuals who are Indians",

(23) in section 613 by inserting "individuals who are" after "older", and

(24) in section 614(a)—

(A) in paragraph (7) by striking "Indians aged 60 and older" and inserting "older individuals who are Indians",

(B) in paragraph (8) by striking "clause" and inserting "paragraph", and

(C) in paragraphs (1), (6), (8), and (10) by inserting "individuals who are" after "older" each place it appears.

(b) Section 502(b)(1) of the Older Americans Community Service Employment Act (42 U.S.C. 3056 et seq.) is amended—

(1) in subparagraph (C) by striking "1954" and inserting "1986", and

(2) in subparagraph (J) by striking "persons" each place it appears and inserting "individuals".

TITLE II—1993 NATIONAL CONFERENCE ON AGING

SEC. 201. 1993 NATIONAL CONFERENCE ON AGING.

(a) NAME OF CONFERENCE.—The heading of title II of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended to read as follows:

"TITLE II—1993 NATIONAL CONFERENCE ON AGING"

(b) FINDINGS.—Section 201(a) of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in paragraph (1)—

(A) by striking "51,400,000 in 1986" and inserting "52,923,000 in 1990", and

(B) by striking "101,700,000" and inserting "103,646,000",

(2) in paragraph (2) by striking "every 6" and inserting "every 8", and

(3) by amending paragraph (3) to read as follows:

"(3) the out-of-pocket costs to older individuals for health care increased from 12.3 percent in 1977 to 18.2 percent in 1988,".

SEC. 202. CONFERENCE REQUIRED.

Section 202 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in subsection (a) by striking "The President may call a White House Con-

ference on Aging in 1991" and inserting "In 1993 the President shall convene the 1993 National Conference on Aging".

(2) in subsection (b) by striking "Secretary" and inserting "Policy Committee", and

(3) in subsection (d)(2)—

(A) by inserting "by the Policy Committee" after "selected", and

(B) by adding at the end the following:

"Delegates shall include individuals who are professionals and nonprofessionals, as well as minority individuals and individuals from low-income families."

SEC. 203. CONFERENCE ADMINISTRATION.

Section 203 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in subsection (a)—

(A) by inserting "as guided by the Policy Committee," after "Secretary" the first place it appears,

(B) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively, and

(C) by inserting before paragraph (2), as so redesignated, the following:

"(1) provide written notice to all members of the Policy Committee and to all staff assigned under section 204(a)(2)(D) of each meeting, hearing, or working session of the Policy Committee not later than 48 hours before the occurrence of such meeting, hearing, or working session," and

(2) in subsection (b)—

(A) by striking "Secretary's responsibilities and functions under this section, assure" and inserting "the recommendations of the Policy Committee, ensure",

(B) by striking paragraphs (2) and (3),

(C) by inserting after paragraph (1) the following:

"(2) publish in the Federal Register an agenda for the Conference not later than 30 days after such agenda is approved by the Policy Committee," and

(D) by redesignating paragraphs (4) through (6) as paragraphs (3) through (5), respectively.

SEC. 204. POLICY COMMITTEE; RELATED COMMITTEES.

Section 204 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) by amending the heading to read as follows:

"SEC. 204. POLICY COMMITTEE; RELATED COMMITTEES."

(2) in subsection (b) by striking "(b) OTHER COMMITTEES—" and inserting "(2)",

(3) in subsection (a) by striking "(a) ADVISORY COMMITTEE.—The Secretary shall" and inserting "(b) ADVISORY AND OTHER COMMITTEES.—(1) The Secretary may",

(4) by inserting before subsection (b), as so redesignated, the following:

"(a) POLICY COMMITTEE.—

"(1) ESTABLISHMENT.—There is established a Policy Committee comprised of 30 members to be selected, not later than 90 days after the enactment of the Older Americans Act Amendments of 1991, as follows:

"(A) Fifteen members shall be selected by the President and shall include—

"(i) the Secretary of Health and Human Services, the Commissioner on Aging, a representative of the National Institute of Aging, and representatives of other Federal agencies as may be appropriate, and

"(ii) not fewer than 7 members who are representatives of public aging agencies, community based organizations specializing in aging issues, and minority aging organizations.

"(B) Six members shall be selected by the Speaker of the House of Representatives, after consultation with the minority leader of the House of Representatives, and shall include members of the Committee on Education and Labor, the Committee on Ways and Means, and the Select Committee on Aging. Not more than 4 members selected under this paragraph may be of the same political party.

"(C) Six members shall be selected by the majority leader of the Senate, after consultation with the minority leader of the Senate, and shall include members of the Committee on Labor and Human Resources, the Committee on Finance, and the Special Committee on Aging. Not more than 4 members selected under this paragraph may be of the same political party.

"(D) Three members shall be selected jointly by the Speaker of the House of Representatives and the majority leader of the Senate, in consultation with the minority leaders of the House and Senate, and shall include representatives of public aging agencies, community-based organizations specializing in aging issues, and minority aging organizations. Not more than 2 members selected under this paragraph may be associated or affiliated with one particular political party.

"(2) DUTIES OF THE POLICY COMMITTEE.—The Policy Committee shall initially meet at the call of the Secretary, but not later than 30 days after the last member is selected under subsection (a). Subsequent meetings of the Policy Committee shall be held at the call of the chairperson. Through meetings, hearings, and working sessions, the Policy Committee shall—

"(A) provide all necessary guidance and advice to the Secretary to facilitate the timely convening of the Conference,

"(B) formulate and approve an agenda for the Conference not later than 60 days after the first meeting of the Policy Committee,

"(C) make recommendations for participants and delegates of the Conference,

"(D) assign staff to participate in and monitor the activities of the committees established under subsection (b), and

"(E) formulate and approve the final report of the conference in accordance with section 205.

"(3) QUORUM; COMMITTEE VOTING; CHAIRPERSON.—(A) Twenty members shall constitute a quorum for the purpose of conducting the business of the Policy Committee.

"(B) The Policy Committee shall act by the vote of the majority of the members present.

"(C) The Policy Committee shall select a chairperson from among its members. The chairperson may vote only to break a tie vote of the other members of the Policy Committee," and

(5) in the first sentence of subsection (c)—

(A) by striking "Each such committee" and inserting "Each committee established under subsection (b)", and

(B) by inserting "and individuals who are Native Americans" before the period at the end.

SEC. 205. REPORT OF THE CONFERENCE.

Section 205 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in subsection (b) by striking "Secretary" and inserting "Policy Committee",

(2) in subsection (c)—

(A) by striking "Secretary" and inserting "Policy Committee", and

(B) by inserting "and approve" after "prepare", and

(3) in subsection (d)—

(A) in the heading of such subsection by striking "SECRETARY" and inserting "POLICY COMMITTEE", and

(B) by striking "Secretary" and inserting "Policy Committee".

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

Section 207 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended to read as follows:

"SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

"(a) AUTHORIZATION.—(1) There are authorized to be appropriated such sums as may be necessary for fiscal years 1992 and 1993 to carry out this title.

"(2) Authority to enter into contracts under this title shall be effective only to the extent or in such amounts as are provided in advance in appropriations Acts.

"(b) AVAILABILITY OF FUNDS.—(1) Except as provided in paragraph (3), funds appropriated to carry out this title shall remain available for obligation or expenditure until January 1, 1995, or the expiration of the one-year period beginning on the date the Conference adjourns, whichever occurs earlier.

"(2) Except as provided in paragraph (3), any such funds neither expended nor obligated before January 1, 1995, or the expiration of the one-year period beginning on the date the Conference adjourns, whichever occurs earlier, shall be available to carry out the Older Americans Act of 1965.

"(3) If the Conference is not convened before January 1, 1994, such funds neither expended nor obligated before such date shall be available to carry out the Older Americans Act of 1965."

SEC. 207. SAVINGS PROVISION.

All personnel assigned or engaged under section 202(b) or section 203(a)(5), of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) as in effect immediately before the date of the enactment of this Act shall continue to be assigned or engaged under such section after such date notwithstanding the amendments made by this title.

TITLE III—AMENDMENTS TO THE NATIVE AMERICAN PROGRAMS ACT OF 1974

SEC. 301. SHORT TITLE.

This title may be cited as the "Native American Programs Act Amendments of 1991".

SEC. 302. ESTABLISHMENT OF ADMINISTRATION FOR NATIVE AMERICANS.

The Native American Programs Act of 1974 (42 U.S.C. 2991a-2992d) is amended by inserting after section 802 the following:

"ESTABLISHMENT OF ADMINISTRATION FOR NATIVE AMERICANS

"Sec. 802A. (a) There is established in the Office of the Administration for Children and Families of the Department of Health and Human Services an Administration for Native Americans (hereinafter in this title referred to as the 'Administration'). The Administration shall be headed by a Commissioner for Native American Programs (hereinafter in this title referred to as the 'Commissioner') who shall be appointed by the President, by and with the advice and consent of the Senate. The Administration shall be the agency responsible for carrying out this title. The Administration shall be under the direct authority and supervision of the Assistant Secretary for Children and Families, and the Commissioner shall report directly to the Assistant Secretary on all matters relating to this title, including policy, budget, and administration of programs. In the performance of the functions of the Commissioner, the Commissioner shall be di-

rectly responsible to the Assistant Secretary.

"(b) In all personnel actions of the Administration, preference shall be given to individuals who are eligible for assistance under this title. Such preference shall be implemented in the same fashion as the preference given to veterans referred to in section 2108(3)(C) of title 5, United States Code. The Secretary shall take such additional action as may be necessary to promote recruitment of such individuals for employment in the Administration.

"(c) The number of full-time positions (or equivalent thereof), and the grades of such positions, in the Administration for Native Americans shall be not less than the number of full-time positions (or equivalent thereof), and the grades of such positions, in the Administration for Native Americans as of June 30, 1986.

"(d) The Administration shall—

"(1) give preference to individuals who are eligible for assistance under this title, in entering into contracts for technical assistance, training, and evaluation under this title; and

"(2) encourage agencies that carry out projects under this title, to give preference to such individuals in hiring and entering into contracts to carry out such projects.

"INTRADEPARTMENTAL COUNCIL ON INDIAN AFFAIRS

"SEC. 802B. The Secretary shall establish an intradepartmental council on Indian affairs to review and comment on all policies and practices of agencies in the Department of Health and Human Resources, relating to programs affecting Indians, Alaskan Natives, and Native Hawaiians. The Commissioner of the Administration for Native Americans shall be the chairperson of such council and shall advise the Secretary on all matters affecting Indians that involve such Department. The Director of the Indian Health Service shall be the vice chairperson of such council."

SEC. 303. LOAN FUND; DEMONSTRATION PROJECT.

Section 803A of the Native American Programs Act of 1974 (42 U.S.C. 2991b-1) is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking "5-year",

(B) in paragraph (2) by inserting before the period at the end the following:

"and a requirement that the grantee contribute to the revolving loan fund an amount of non-Federal funds equal to the amount of such grant";

(2) in subsection (b) by striking paragraph (6),

(3) in subsection (f)—

(A) by amending paragraph (1) to read as follows:

"(1) There is authorized to be appropriated \$1,000,000 for fiscal year 1992 to carry out this section.", and

(B) by striking paragraph (3), and

(4) by amending subsection (g) to read as follows:

"(g)(1) The Secretary, in consultation with the agency or organization to which grants are awarded under subsection (a)(1), shall submit a report to the Speaker of the House of Representatives and President pro tempore of the Senate, not later than January 1 following the end of each fiscal year, regarding the administration of this section in such fiscal year.

"(2) Such report shall include the views and recommendations of the Secretary with respect to the revolving loan fund established under subsection (a)(1) and with respect to loans made from such fund, shall—

"(A) describe the effectiveness of the operation of such fund in improving the economic and social self-sufficiency of Native Hawaiians;

"(B) specify the number of loans made in such fiscal year;

"(C) specify the number of loans outstanding as of the end of such fiscal year; and

"(D) specify the number of borrowers who fall in such fiscal year to repay loans in accordance with the agreements under which such loans are required to be repaid."

SEC. 304. TECHNICAL ASSISTANCE AND TRAINING.

Section 804 of the Native American Programs Act of 1974 (42 U.S.C. 2991c) is amended—

(1) by striking "may" and inserting "shall", and

(2) by inserting "planning," after "agencies in".

SEC. 305. EVALUATION.

Section 811(a) of the Native American Programs Act of 1974 (42 U.S.C. 2992) is amended—

(1) by inserting "(1)" after "(a)", and

(2) by adding at the end the following:

"(2) The project assisted under this title shall be evaluated in accordance with this section not less frequently than at 3-year intervals."

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

Section 816 of the Native American Programs Act of 1974 (42 U.S.C. 2992d) is amended—

(1) in subsection (a)—

(A) by striking "There" and inserting "(1) Subject to paragraph (2), there",

(B) by striking "sections 803(d) and" and inserting "section",

(C) by striking "years 1988, 1989, 1990, and" and inserting "year",

(D) by inserting before the period at the end ", \$60,000,000 for fiscal year 1992, and such sums as may be necessary for fiscal years 1993, 1994, and 1995", and

(E) by adding at the end the following:

"(2) If for any fiscal year—

"(A) the amount appropriated under subsection (d) is less than \$8,000,000; and

"(B) the amount appropriated under paragraph (1) exceeds 105 percent of the amount appropriated under such paragraph for the preceding fiscal year;

then there shall be available to carry out section 803(d) the maximum amount of the excess described in subparagraph (B) which when added to the amount appropriated under subsection (d) does not exceed \$8,000,000.", and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking "(1) Except as provided in paragraph (2), there are" and inserting "There is",

(ii) by striking "1988, 1989, 1990, and", and

(iii) by inserting ", 1992, 1993, 1994, and 1995" after "1991", and

(B) by striking paragraph (2).

TITLE IV—GENERAL PROVISIONS

SEC. 401. LIMITATION ON AUTHORITY TO ENTER INTO CONTRACTS.

Any authority to enter into contracts under any amendment made by this Act shall be effective only to the extent or in such amounts as are provided in advance in appropriations Acts.

SEC. 402. EFFECTIVE DATES; APPLICATION OF AMENDMENTS.

(a) GENERAL EFFECTIVE DATE.—Except as provided in subsections (b) and (c), this Act and the amendments made by this Act shall take effect on October 1, 1991.

(b) SPECIAL EFFECTIVE DATE.—The amendments made by sections 134 and 173(1) shall take effect on October 1, 1992.

(c) APPLICATION OF AMENDMENTS.—The amendment made by section 114(1) shall not apply with respect to appointments made under section 204 of the Older Americans Act of 1965 (42 U.S.C. 3015) before the date of the enactment of this Act.

AMENDMENTS OFFERED BY MR. MARTINEZ

Mr. MARTINEZ. Madam Chairman, I offer several amendments, and I ask unanimous consent that the amendments be considered en bloc, be considered as read, and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the amendment is as follows:

Amendments offered by Mr. MARTINEZ: In the table of contents, insert the following after the item relating to section 142, as so redesignated (and redesignate succeeding items accordingly):

Sec. 143. In-home services for frail older individuals.

In the table of contents, strike the items relating to title II and the heading relating to the amendments to the Native American Programs Act of 1974, and insert the following:

TITLE II—1993 WHITE HOUSE CONFERENCE ON AGING

Sec. 201. 1993 White House Conference on Aging.

Sec. 202. Conference required.

Sec. 203. Conference administration.

Sec. 204. Policy committee; related committees.

Sec. 205. Report of the conference.

Sec. 206. Authorization of appropriations.

TITLE III—AMENDMENTS TO THE NATIVE AMERICAN PROGRAMS ACT OF 1974

In paragraph (25) of section 202(a) of the Older Americans Act of 1965, as added by section 112(6) of the bill, strike "and" at the end.

In paragraph (26) of section 202(a) of the Older Americans Act of 1965, as added by section 112(6) of the bill, strike "(26)" and insert "(27)".

After paragraph (25) of section 202(a) of the Older Americans Act of 1965, as added by section 112(6) of the bill, insert the following:

"(26) encourage, and provide technical assistance to, States and area agencies on aging to carry out outreach to inform older individuals with greatest economic need who may be eligible to receive, but are not receiving, supplemental security income benefits under title XVI of the Social Security Act (or assistance under a State plan program under such title, medical assistance under title XIX of such Act, and benefits under the Food Stamp Act of 1977, of the requirements for eligibility to receive such benefits and such assistance; and

In section 207(c)(5) of the Older Americans Act of 1965, as added by section 117(b)(3), insert "low-income" after "including" the last place it appears.

In section 131(3)—

(1) strike the close quotation marks and the period at the end, and

(2) add at the end the following:

"(14) The term 'art therapy' means the use of art and artistic processes specifically se-

lected and administered by an art therapist, to accomplish the restoration, maintenance, or improvement of the mental, emotional, or social functioning of an older individual.

"(15) The term 'dance-movement therapy' means the psychotherapeutic use of movement as a process facilitated by a dance-movement therapist, to further the emotional, cognitive, or physical integration of an older individual.

"(16) The term 'music therapy' means the use of music interventions specifically selected by a music therapist, to accomplish the restoration, maintenance, or improvement of the social or emotional functioning, mental processing, or physical health of an older individual."

In section 132(b)(1), strike "\$435,000,000" and insert "\$505,000,000".

In section 134, strike paragraph (1) and insert the following:

(1) by striking subparagraph (C) and inserting the following:

"(C) in consultation with area agencies on aging, in accordance with guidelines issued by the Commissioner, and using the best available data, develop and publish for review and comment a formula for distribution within the State of funds received under this title that takes into account—

"(i) the geographical distribution of older individuals in the State; and

"(ii) the distribution among planning and service areas of older individuals with greatest economic need and older individuals with greatest social need, with particular attention to low-income minority older individuals;"

In section 135(3)(B)—

(1) in clause (i) strike "and" at the end,

(2) redesignate clause (ii) as clause (iii), and

(3) insert after clause (i) the following:

(ii) by inserting "older individuals who are of limited English-speaking ability," after "minority individuals," and

In section 306(a)(15) of the Older Americans Act of 1965, as added by 135(7), strike "and" at the end.

In section 135(7)—

(1) strike the first period, the close quotation marks, and the period at the end, and insert "; and", and

(2) add at the end the following:

"(17) in the discretion of the area agency, provide for an area volunteer services coordinator, who shall—

"(A) encourage, and enlist the services of local volunteer groups to provide assistance and services appropriate to the unique needs of the elderly within the planning and service area;

"(B) encourage, organize, and promote the use of older individuals as volunteers to local communities within the area; and

"(C) promote the recognition of the contribution made by volunteers to programs administered under the area plan."

In section 136(a)(13), strike the close quotation marks and the period at the end.

At the end of section 136(a)(13), add the following:

"(40) The plan shall provide that the State agency shall designate a State entity that shall carry out the programs and activities under this title that relate to the prevention and treatment of the abuse, neglect, and exploitation of older individuals."

"(41)(A) If 50 percent or more of the area plans in the State provide for an area volunteer services coordinator, as described in section 306(a)(17), the State plan shall provide for a State volunteer services coordinator, who shall—

"(i) encourage area agencies on aging to provide for area volunteer services coordinators;

"(ii) coordinate the volunteer services offered between the various area agencies on aging;

"(iii) encourage, organize, and promote the use of older individuals as volunteers to the State;

"(iv) provide technical assistance, which may include training, to area volunteer services coordinators; and

"(v) promote the recognition of the contribution made by volunteers to the program administered under the State plan.

"(B) If fewer than 50 percent of the area plans in the State provide for an area volunteer services coordinator, the State plan may provide for the State volunteer services coordinator in subparagraph (A)."

In section 136, strike subsection (d) and redesignate subsection (e) as subsection (d).

In section 137(2), strike subparagraph (A) and insert the following:

(A) in paragraph (4)—

(i) by inserting "(A)" after "(4)",

(ii) by inserting "and except as provided in subparagraph (B)" after "this title",

(iii) in the first sentence—

(I) by striking "received under section 303(b) (1) and (2), a" and inserting "received by a State and attributable to funds appropriated under paragraph (1) or (2) of section 303(b), the", and

(II) by striking "a portion of the funds appropriated" and inserting "not more than 30 percent of such funds", and

(iv) by adding at the end the following:

"(B) If a State demonstrates, to the satisfaction of the Commissioner, that funds available under paragraph (1) or (2) of section 303(b), including funds transferred under subparagraph (A) without regard to this subparagraph, for fiscal year 1993, 1994, or 1995 are insufficient to satisfy the need for services under subpart 1 or subpart 2 of part C, then the Commissioner may grant a waiver that permits the State to transfer under subparagraph (A) to satisfy such need—

"(i) an additional 18 percent of the funds so received for fiscal year 1992;

"(ii) an additional 15 percent of the funds so received for each of the fiscal years 1993 and 1994; and

"(iii) an additional 10 percent of the funds so received for fiscal year 1995."

In section 140—

"(1) redesignate paragraph (4) as paragraph (5), and

"(2) in paragraph (3)—

"(A) at the end of subparagraph (A) strike "and", and

"(B) insert after subparagraph (B) the following:

"(C) by inserting before the semicolon at the end the following:

"and, and to provide to older individuals who provide uncompensated care to their adult children with disabilities counseling to assist such older individuals with permanency planning for such children".

(4) in paragraph (11) by inserting before the semicolon the following:

"and, and of older individuals who provide uncompensated care to their adult children with disabilities", and

In section 363 of the Older Americans Act of 1965, as added by section 142(c) of the bill, as so redesignated—

(1) in paragraph (10) strike "and" at the end,

(2) in paragraph (11) strike the first period, the close quotation marks, and the period at the end, and insert a semicolon, and

(3) insert after paragraph (11) the following:

"(12) gerontological counseling; and

"(13) music therapy, art therapy, and dance-movement therapy."

In section 143, strike paragraph (2) and insert the following:

(2) in paragraph (2)—

(A) in subparagraph (C)—

(i) by striking "conferences," and

(ii) by striking "and" at the end,

(B) in subparagraph (D) by inserting "and" at the end, and

(C) by adding at the end the following:

"(E) strengthening and carrying out activities to prevent and treat the abuse, neglect, and exploitation of older individuals."

In section 143, insert the following after paragraph (1) and redesignate succeeding paragraphs accordingly:

(2) by inserting "through the State entity designated in accordance with section 307(a)(40)" after "out" the second place it appears,

After section 133, insert the following (and conform the table of contents, and redesignate references and succeeding sections, accordingly):

SEC. 134. OUTREACH DEMONSTRATION PROJECTS.

(a) USE OF ALLOTTED FUNDS.—Section 304(d)(1)(C) of the Older Americans Act of 1965 (42 U.S.C. 3014(d)(1)(C)) is amended to read as follows:

"(C) after September 30, 1991, such amount (excluding any amount attributable to funds appropriated under section 303(a)(3)) as the State agency determines to be adequate, but not to exceed 4 percent of the amount appropriated under section 303(a)(1), for conducting effective demonstration projects under section 307(f)(1); and"

(b) DEMONSTRATION PROJECTS.—Section 307(f) of the Older Americans Act of 1965 (42 U.S.C. 3027(f)) is amended—

(1) in paragraph (1)—

(A) by striking "1986" and inserting "1991",

(B) by striking "shall" and inserting "may",

(C) by inserting after "education" the following:

"or outreach to older individuals with greatest economic need with respect to benefits available under title XVI of the Social Security Act (or assistance under a State plan program under such title), medical assistance available under title XIX of such Act, and benefits available under the Food Stamp Act of 1977," and

(D) by striking "based" and all that follows through "704(d)(2)",

(2) by amending paragraph (2)(E) to read as follows:

"(E) be evaluated by the State agency, and the results of such evaluation, and such interim reports as the Commissioner may reasonably require, shall be submitted to the Commissioner before October 1, 1993," and

(3) by adding at the end the following:

"(3) Each outreach project carried out under paragraph (1) shall—

"(A) provide to older individuals with greatest economic need information and assistance regarding their eligibility to receive benefits under title XVI of the Social Security Act (or assistance under a State plan program under such title), medical assistance under title XIX of such Act, and benefits under the Food Stamp Act of 1977;

"(B) be carried out in a planning and service area that has a high proportion of older individuals with greatest economic need, relative to the aggregate number of older individuals in such area; and

"(C) be coordinated with State and local entities that administer benefits under such titles."

After section 141, as so redesignated, insert the following (and conform the table of contents, and redesignate references and succeeding sections, accordingly):

SEC. 142. NUTRITION SERVICES.

(a) CONGREGATE NUTRITION SERVICES.—Section 331(1) of the Older Americans Act of 1965 (42 U.S.C. 3030e(1)) is amended by inserting "(except in a rural area where such frequency is not feasible (as defined by the Commissioner by rule) and a lesser frequency is approved by the State agency)" after "week".

(b) HOME-DELIVERED NUTRITION SERVICES.—Section 336 of the Older Americans Act of 1965 (42 U.S.C. 3030f) is amended by inserting "(except in a rural area where such frequency is not feasible (as defined by the Commissioner by rule) and a lesser frequency is approved by the State agency)" after "week".

SEC. 143. IN-HOME SERVICES FOR FRAIL OLDER INDIVIDUALS.

Section 341(a) of the Older Americans Act of 1965 (42 U.S.C. 3030h(a)) is amended—

(1) by inserting "(1)" after "(a)", and

(2) by adding at the end the following:

"(2)(A) The Commissioner shall require that home health aide services provided under such program be provided only by an individual who is employed as a home health aide by an entity that is—

"(i) a home health agency, as defined in section 1861(o) of the Social Security Act, that satisfies the conditions specified in section 1891(a) of such Act;

"(ii) licensed under State law that requires training, testing, and supervision substantially equivalent to the training, testing, and supervision then required under section 1891(a) of the Social Security Act; or

"(iii) accredited by an agency approved by the Secretary.

"(B) The Commissioner shall require entities that provide home health aide services under such program to promote the rights of each older individual who receives such services. Such rights include the following:

"(i) The right—

"(I) to be fully informed in advance about each home health aide service provided by such entity under such program and about any change in such service that may affect the well-being of such individual; and

"(II) to participate in planning and changing a home health aide service provided under such program by such entity unless such individual is judicially adjudged incompetent.

"(ii) The right to voice a grievance with respect to such service that is or fails to be so provided, without discrimination or reprisal as a result of voicing such grievance.

"(iii) The right to confidentiality of records relating to such individual.

"(iv) The right to have the property of such individual treated with respect.

"(v) The right to be fully informed (orally and in writing), in advance of receiving a home health aide service under such program, of such individual's rights and obligations under this title."

In section 168—

(1) insert "(a) PERMANENCY PLANNING.—" before "Section";

(2) strike paragraph (1) and insert the following:

(1) in subsection (a)(2) by striking "preventive health education and promotion programs" and inserting "disease prevention and health promotion programs (including

coordinated multidisciplinary research projects on the aging process)", and

(2) add at the end the following:

(b) MANDATORY MODEL VOLUNTEER SERVICE CREDIT PROJECTS.—Section 422 of the Older Americans Act of 1965 (42 U.S.C. 3035a) is amended by adding at the end the following:

"(e)(1) The Commissioner shall, after consultation with the State agency in each State involved, make not fewer than 3 and not more than 5 grants in each fiscal year to public agencies or nonprofit private organizations or enter into contracts with agencies or organizations in such State, for paying part or all of the cost of developing or operating nationwide, statewide, regional, metropolitan area, county, city, or community model volunteer service credit projects that will demonstrate methods to improve or expand supportive services or nutrition services or otherwise promote the well-being of older individuals.

(2) Such projects shall be operated in consultation with the ACTION Agency and shall permit elderly volunteers to earn for services furnished, credits that may be redeemed later for similar volunteer services."

In section 502(d)(3) of the Older Americans Community Service Employment Act, as added by section 181(4) of the bill, strike "coordinate" and all that follows through "such agency", and insert "conduct such project in consultation, to the maximum extent practicable, with such agency".

Strike title II and insert the following:

TITLE II—1993 WHITE HOUSE CONFERENCE ON AGING

SEC. 201. 1993 WHITE HOUSE CONFERENCE ON AGING.

(a) NAME OF CONFERENCE.—The heading of title II of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended to read as follows:

"TITLE II—1993 WHITE HOUSE CONFERENCE ON AGING"

(b) FINDINGS.—Section 201(a) of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in paragraph (1)—

(A) by striking "51,400,000 in 1986" and inserting "52,923,000 in 1990"; and

(B) by striking "101,700,000" and inserting "103,646,000".

(2) in paragraph (2) by striking "every 6" and inserting "every 8"; and

(3) by amending paragraph (3) to read as follows:

"(3) the out-of-pocket costs to older individuals for health care increased from 12.3 percent in 1977 to 18.2 percent in 1988."

SEC. 202. CONFERENCE REQUIRED.

Section 202 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in subsection (a) by striking "The President may call a White House Conference on Aging in 1991" and inserting "In 1993 the President shall convene the 1993 White House Conference on Aging"; and

(2) in subsection (d)(2) by adding at the end the following:

"Delegates shall include individuals who are professionals and nonprofessionals, as well as minority individuals and individuals from low-income families."

SEC. 203. CONFERENCE ADMINISTRATION.

Section 203 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in subsection (a)—

(A) in paragraph (3)—

(i) by striking "prepare and"; and

(ii) by inserting "prepared by the Policy Committee" after "agenda";

(B) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(C) by inserting before paragraph (2), as so redesignated, the following:

"(1) provide written notice to all members of the Policy Committee of each meeting, hearing, or working session of the Policy Committee not later than 48 hours before the occurrence of such meeting, hearing, or working session."

(2) in subsection (b)—

(B) by striking paragraphs (2) and (3);

(C) by inserting after paragraph (1) the following:

"(2) the agenda prepared under subsection (a)(3) for the Conference is published in the Federal Register not later than 30 days after such agenda is approved by the Policy Committee (The Secretary may republish such agenda together with the Secretary's recommendations regarding such agenda)."; and

(D) by redesignating paragraphs (4) through (6) as paragraphs (3) through (5), respectively; and

(3) by adding at the end the following:

"(c) GIFTS.—The Secretary may accept, on behalf of the United States, gifts (in cash or in kind) which shall be available to carry out this title. Gifts of cash shall be available in addition to amounts appropriated to carry out this title."

SEC. 204. POLICY COMMITTEE; RELATED COMMITTEES.

Section 204 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) by amending the heading to read as follows:

"SEC. 204. POLICY COMMITTEE; RELATED COMMITTEES."

(2) in subsection (b) by striking "(b) OTHER COMMITTEES.—" and inserting "(2)";

(3) in subsection (a)—

(A) by striking "(a) ADVISORY COMMITTEE.—The Secretary" and inserting "(b) ADVISORY AND OTHER COMMITTEES.—(1) The President"; and

(B) by adding at the end the following:

"The President shall consider for appointment to the advisory committee individuals recommended by the Policy Committee."

(4) by inserting before subsection (b), as so redesignated, the following:

"(a) POLICY COMMITTEE.—

"(1) ESTABLISHMENT.—There is established a Policy Committee comprised of 25 members to be selected, not later than 90 days after the enactment of the Older Americans Act Amendments of 1991, as follows:

"(A) Thirteen members shall be selected by the President and shall include—

"(i) 3 members who are officers or employees of the United States; and

"(ii) 10 members who are representatives of public aging agencies, community-based organizations with experience in the field of aging, and minority aging organizations.

"(B) Four members shall be selected by the Speaker of the House of Representatives, after consultation with the minority leader of the House of Representatives, and shall include members of the Committee on Education and Labor, the Committee on Ways and Means, and the Select Committee on Aging. Not more than 3 members selected under this paragraph may be of the same political party.

"(C) Four members shall be selected by the majority leader of the Senate, after consultation with the minority leader of the Senate, and shall include members of the Committee on Labor and Human Resources,

the Committee on Finance, and the Special Committee on Aging. Not more than 3 members selected under this paragraph may be of the same political party.

"(D) Four members shall be selected jointly by the Speaker of the House of Representatives and the majority leader of the Senate, in consultation with the minority leaders of the House and Senate, and shall include representatives of public aging agencies, community-based organizations with experience in the field of aging, and minority aging organizations. Not more than 2 members selected under this paragraph may be associated or affiliated with one particular political party.

"(2) DUTIES OF THE POLICY COMMITTEE.—The Policy Committee shall initially meet at the call of the Secretary, but not later than 30 days after the last member is selected under subsection (a). Subsequent meetings of the Policy Committee shall be held at the call of the chairperson. Through meetings, hearings, and working sessions, the Policy Committee shall—

"(A) make recommendations to the Secretary to facilitate the timely convening of the Conference,

"(B) formulate and approve an agenda for the Conference not later than 60 days after the first meeting of the Policy Committee,

"(C) make recommendations for participants and delegates of the Conference,

"(D) establish the number of delegates to be selected under section 202(b)(2), and

"(E) formulate and approve the initial report of the Conference in accordance with section 205.

"(3) QUORUM; COMMITTEE VOTING; CHAIRPERSON.—(A) Thirteen members shall constitute a quorum for the purpose of conducting the business of the Policy Committee, except that 17 members shall constitute a quorum for purposes of approving the agenda required by paragraph (2)(B) and the report required by paragraph (2)(E).

"(B) The Policy Committee shall act by the vote of the majority of the members present.

"(C) The President shall select a chairperson from among its members. The chairperson may vote only to break a tie vote of the other members of the Policy Committee," and

(5) in the first sentence of subsection (c)—
(A) by striking "Each such committee" and inserting "Each committee established under subsection (b)", and

(B) by inserting ", and individuals who are Native Americans" before the period at the end.

SEC. 205. REPORT OF THE CONFERENCE.

Section 205 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended—

(1) in subsection (b) by striking "Secretary" and inserting "The Policy Committee",

(2) in subsection (c)—

(A) by striking "The Secretary" and inserting "(1) The Policy Committee",

(B) by inserting "and approve" after "prepare", and

(C) by adding at the end the following:

"(2) Not later than 60 days after such final report is approved by the Policy Committee, the Secretary shall publish such final report in the Federal Register. The Secretary may republish such final report together with such additional views and recommendations the Secretary considers to be appropriate.", and

(3) in subsection (d)—

(A) in the heading of such subsection by striking "SECRETARY" and inserting "POLICY COMMITTEE", and

(B) by striking "Secretary" and inserting "Policy Committee".

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

Section 207 of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) is amended to read as follows:

"SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

"(a) AUTHORIZATION.—(1) There are authorized to be appropriated such sums as may be necessary for fiscal years 1992 and 1993 to carry out this title.

"(2) Authority to enter into contracts under this title shall be effective only to the extent or in such amounts as are provided in advance in appropriations Acts.

"(b) AVAILABILITY OF FUNDS.—(1) Except as provided in paragraph (3), funds appropriated to carry out this title and funds received as gifts under section 203(c) shall remain available for obligation or expenditure until January 1, 1995, or the expiration of the one-year period beginning on the date the Conference adjourns, whichever occurs earlier.

"(2) Except as provided in paragraph (3), any such funds neither expended nor obligated before January 1, 1995, or the expiration of the one-year period beginning on the date the Conference adjourns, whichever occurs earlier, shall be available to carry out the Older Americans Act of 1965.

"(3) If the Conference is not convened before January 1, 1994, such funds neither expended nor obligated before such date shall be available to carry out the Older Americans Act of 1965."

SEC. 207. SAVINGS PROVISION.

All personnel assigned or engaged under section 202(b) or section 203(a)(5), of the Older Americans Act Amendments of 1987 (42 U.S.C. 3001 note) as in effect immediately before the date of the enactment of this Act shall continue to be assigned or engaged under such section after such date notwithstanding the amendments made by this title.

Mr. MARTINEZ. Madam Chairman, I offer en bloc amendments today which add improvements to the services and administration of the Older Americans Act.

The amendments would change the Conference on Aging to allow for the first time joint participation by Congress and private sector groups in the setting of the national aging policy agenda for the next 10 years.

They also change the committee past formula targeting provisions to reflect the administration's targeting language in response to minority groups' concerns.

It increases the congregate meals authorization level an additional 5 percent from 1991. And they permit additional transfers between meals programs in the States beyond a 30 percent cap, with the permission of the Commissioner.

They permit States to keep elder abuse funds at the State level to target treatment and services for elder abuse.

They permit States to use title III funds to reach out to assist older individuals to receive entitlement services.

They permit rural service providers to serve fewer than five meals per week, with the permission of the State.

They also provide a number of first time services in permanency planning, volunteer service credit demonstra-

tions, State volunteer service coordinators, and target limited English individuals for supportive service outreach.

These amendments are all supported by Members on both sides of the aisle, and I urge Members to support the en bloc amendments.

Mr. GOODLING. Madam Chairman, will the gentleman yield?

Mr. MARTINEZ. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Madam Chairman, I rise to say that since we were part of en bloc amendments, we have no objection.

Mr. MARTINEZ. I thank the gentleman from Pennsylvania.

Mr. SMITH of New Jersey. Madam Chairman, as the ranking member of the Aging Subcommittee on Housing and Consumer Interests, I rise in strong support of H.R. 2967, the Older Americans Act Amendments of 1991. This is an exemplary piece of legislation and deserves the support of every Member of the House. I am particularly pleased that legislation I authored is about to be incorporated in to H.R. 2967.

The portion of the bill I authored requires the Commissioner of the Administration on Aging to establish and carry out a volunteer service credit program. The service credit program allows seniors to provide volunteer services within their communities, accumulate credits for the services, and cash in the credits in order to receive the services of another volunteer when needed.

Madam Chairman, the service credit program has been carried out in six demonstration sites under a now expired Robert Wood Johnson Foundation grant. Some of these programs, and others which have developed throughout the country, now face funding difficulties which put the programs in jeopardy and force employees to spend much of their time seeking financing rather than concentrating on expanding and enhancing the program itself.

The cost of the program is relatively small; average yearly administrative costs are \$66,000, startup costs are approximately \$3,000. This legislation will require the Commissioner of the Administration on Aging to award grants to program sponsors in a variety of settings. The Federal Government will then have the capacity to evaluate each program and assess the program's adequacy in responding to the needs of senior citizens, filling existing gaps in service delivery, and offsetting the need for other costly long-term services.

According to an assessment by the Center for Health Policy Studies, Madam Chairman, the volunteer service credit program has been successful in providing essential services for the frail elderly, attracting new volunteers into the volunteer network, and instilling a positive sense of community among program participants.

The most obvious benefit of the volunteer service credit program is the service it provides to frail elderly individuals who want to remain living independently at home. The typical individual receiving services under the program is over age 76, living alone, and experiencing significant health problems. The variety of services made available by this program,

such as escort services, housekeeping, shopping, respite care, and meal preparation, make it possible for seniors to delay or avoid institutionalization in a nursing home.

Another important aspect of the program, Madam Chairman, is the mental health services it offers. Senior citizens frequently identify loneliness and a sense of uselessness as one of the most difficult aspects of older age. Service credit programs help subdue these feelings by offering "companionship visits." Companionship visits have the dual purpose of providing homebound individuals with healthy interpersonal contact and also give volunteers a renewed sense of worth.

Additionally, service credit programs have been successful in drawing new volunteers into the volunteer network. This is a very valuable aspect of the service credit program considering the huge untapped volunteer potential of our senior population. A nationwide study commissioned by Marriott Senior Living Services and the Administration on Aging, found that 37 percent of the Nation's 37.7 million senior citizens indicated they would be interested in providing volunteer services. Over one-half of volunteers in the service credit demonstration programs are new volunteers and had not volunteered in the previous year.

As health care costs climb and funding for supportive services is increasingly competitive, it is essential that Congress look to creative, cost-savings methods to deliver services to those in need. The service credit program provides essential services and, through the use of accumulated credits, also guarantees volunteers that they are eligible to receive services when needed.

Madam Chairman, H.R. 2967 also contains a variety of other very important provisions which are necessary in addressing the needs of older Americans. In response to the growing incidence of elder abuse, H.R. 2967 establishes a National Center on Elder Abuse to assist States in establishing and implementing prevention and treatment programs. Also created in this legislation is the National Ombudsman Resource Center. This center will conduct research and training regarding long term care and serve as the national center on ombudsman programs.

The centers will be administered by the new Federal Long Term Care Ombudsman within the Administration on Aging who will also be responsible for coordinating State and Federal ombudsman programs and ensuring that Federal laws protecting the elderly are enforced. The Federal Ombudsman will be given powerful tools—such as the authority to subpoena and examine witnesses—in order to enforce compliance.

Madam Chairman, H.R. 2967 also provides for supportive and nutrition services to millions of senior citizens. Through a system of State grants, the Older Americans Act Amendments of 1991 ensures the availability of congregate and home delivered meals, transportation, and in-home services for senior citizens. A new program under the bill will provide training, counseling, and assistance for individuals caring for the frail elderly.

In an effort to ensure that the service programs are reaching senior citizens most in need, H.R. 2967 also requires the formulation and implementation of improved data collec-

tion techniques to ascertain exactly who is using the program and whether or not their needs are being met. Emphasis will also be placed on targeting services for minority and low-income senior citizens.

Madam Chairman, the Older Americans Act Amendments of 1991 further addresses the needs of senior citizens by providing authorization for research and demonstration programs. The programs range from educational grants for students entering aging-related careers to counseling for senior citizens regarding pension rights. Additionally, the bill includes programs to demonstrate ways to prevent housing foreclosure and eviction of the aged, and encourage multigenerational activities for seniors and children.

Madam Chairman, senior citizens deserve to maintain an independent and fulfilling life style and we need to help ensure that this is possible. H.R. 2967 addresses many of the obstacles that prevent seniors from maintaining this independence. I support the bill and urge my colleagues to vote in favor of H.R. 2967.

THE CHAIRMAN. The question is on the amendments offered by the gentleman from California [Mr. MARTINEZ].

The amendments were agreed to.

□ 1440

AMENDMENT OFFERED BY MR. HASTERT

Mr. HASTERT. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HASTERT: At the end of title II insert the following (and conform the table of contents):

SEC. 207. SENSE OF THE CONGRESS.

It is the sense of the Congress that the 1993 White House Conference on Aging should consider the impact of the earnings test in effect under section 203 of the Social Security Act on older individuals who are employed.

Mr. HASTERT (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

THE CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HASTERT. Madam Chairman, I rise today to offer an amendment to the Older Americans Act Amendments of 1991.

Madam Chairman, first, I want to thank the chairman of the subcommittee, the gentleman from California [Mr. MARTINEZ], for his work in this endeavor in bringing forth really a very, very fine piece of legislation, and also our ranking member, the gentleman from Pennsylvania [Mr. GOODLING] as well as the gentleman from Illinois [Mr. FAWELL] of the subcommittee.

Madam Chairman, my amendment ensures that the concerns of working order Americans will not be forgotten among the many issues that will be addressed by the 1993 White House Conference on Aging.

As most of you know, I have been working for several years to lift the

penalty placed on senior citizens who continue to work after they reach retirement age and earn more than \$9,720 annually.

The earnings test penalizes seniors who choose to work—or must work—after they reach age 65 by taking away \$1 in social security benefits for every \$3 they earn over the \$9,720 limit. When coupled with regular taxes, this means a senior earning a paltry \$10,000 a year faces an effective marginal tax rate of 56 percent—nearly twice the tax rate of millionaires. Clearly, that is just not fair.

I am sure that most of you have heard stories from your constituents about the harmful effects of the earnings penalty. On a daily basis I receive letters from working seniors who need to work to pay their health care bills, property taxes, and daily living expenses, and yet, they find that by trying to remain independent, the government penalizes them.

While the earnings test is an example of age discrimination, there is another reason why the White House Conference should examine this penalty. Repealing the Social Security earnings limit will help our country compete in the international marketplace by keeping skilled workers in the workforce. By the end of the 1990's there will be 1.5 million fewer workers between 16 and 24 years of age who will enter the work force, but at the same time, 5 million older Americans will be retiring. It is obvious we need to remove government disincentives that prevent older workers from being productive, if they so choose.

The numbers tell us that a majority agrees; 262 Members of the House are cosponsors of my bill to repeal the earnings penalty. And the grass roots support building around the country—from citizens groups to the editorial boards of major metropolitan newspapers—demonstrates that this is something the American people want.

I wish I could be here on the floor today asking for repeal of this penalty on working seniors. But today, I am merely asking that we vote to keep this issue on the public policy agenda.

By voting for the Hastert amendment, Members of Congress will demonstrate that they believe it is important that seniors remain in the work force. Congress has the obligation, both to our Nation's older workers and to our economic vibrancy, to ensure that the White House Conference address this important issue, and I urge my colleagues to vote in support of this amendment.

THE CHAIRMAN. The time of the gentleman from Illinois [Mr. HASTERT] has expired.

(By unanimous consent, Mr. HASTERT was allowed to proceed for 5 additional minutes.)

Mr. GOSS. Madam Chairman, will the gentleman yield?

Mr. HASTERT. I am happy to yield to the gentleman from Florida.

Mr. GOSS. Madam Chairman, today we are giving the older Americans of this country the consideration they deserve. However, I am struck by the irony of providing Federal moneys to fund nutritional services and job creation programs, meant to enable and empower the older persons of America, while we continue to cap their earning potential. Where is the rationale for subtracting \$1 for every \$3 senior citizens age 65 to 69 earn after \$9,720? The earnings test itself is 50 years old and ready for retirement. If, by 1993 and the convening of the White House Conference on Aging, the Social Security earnings test has not been repealed, it must be a major consideration during discussions concerning the older work force. Of course, I trust that by 1993, piecemeal liberalization will not have proven sufficient and Congress will finally heed the older Americans around the country clamoring for relief. Our economy will not recover sufficiently without the experience and perseverance of the seasoned employee. We owe them the freedom to work without penalty.

Mr. RHODES. Madam Chairman, will the gentleman yield?

Mr. HASTERT. I am happy to yield to the gentleman from Arizona.

Mr. RHODES. Madam Chairman, I thank the gentleman for yielding to me, and thank him very much for bringing this important amendment to the floor at this time.

Like the gentleman and like many of our colleagues, I wish that we were in a position to deal substantively with this, and when I say like many of our colleagues, I mean like the 264 additional colleagues who have cosponsored the legislation which would repeal this outmoded, outdated, unneeded and egregious, unfair penalty on those of our productive senior citizens who want, need, and desire to continue to produce and to continue to contribute to our society.

I eagerly await the day when we can bring to the floor this provision, our bill, and act on it in a substantive manner, but in the meantime, I think it is extremely appropriate that we express, again, the sense of Congress that the Conference on Aging in 1993 should likewise consider the impact of this penalty on the elderly in this country.

I commend the gentleman for his work on this issue and for bringing this amendment, and likewise I urge our colleagues to adopt the amendment.

Mr. HASTERT. Madam Chairman, I also commend the gentleman from Arizona for his unyielding work in this area.

Mr. ZELIFF. Madam Chairman, will the gentleman yield?

Mr. HASTERT. I am happy to yield to the gentleman from New Hampshire.

Mr. ZELIFF. Madam Chairman, I thank the gentleman, my colleague, for yielding.

Madam Chairman, I rise in support of the amendment offered by the gentleman from Illinois [Mr. HASTERT] expressing the sense of Congress that the Conference on Aging should consider the impact of the Social Security earnings test on our Nation's seniors.

Eliminating the earnings test in Social Security benefits would, in my opinion, encourage older workers to remain in the work force, allow businesses both large and small to retain experienced and competent workers and reduce the Federal budget deficit.

Retaining experienced and competent older workers already is a priority in labor-intensive companies, and it will be even more critical as we face the new world economy that we face tomorrow.

Most important of all, we must be fair to our senior citizens. We should not, and we must not, penalize them for wanting to work. This is crazy.

America was built on self-sufficiency and the work ethic. We should not, by government edict, stop those who are willing to work to support themselves. This obsolete practice which began in the 1930's is one of the worst forms of discriminatory practices we have in America today.

It is time that we make things right, and this amendment and this bill will give us the opportunity to do it.

In response to those who would claim that repeal of the earnings penalty will hinder our economy, I submit that such a move will, in fact, significantly boost our current economic situation. Any increase in Social Security benefit payments will be more than offset by the increase in Federal revenues generated from the new taxable income of these very important elderly workers.

I urge my colleagues to support this amendment.

Mr. EWING. Madam Chairman, will the gentleman yield?

Mr. HASTERT. I am happy to yield to the gentleman from Illinois.

Mr. EWING. Madam Chairman, I rise in strong support of the sense-of-the-Congress amendment offered by my colleague from Illinois, Congressman HASTERT, concerning the Social Security earnings limitation test. I commend Mr. HASTERT for his steadfast commitment to this issue and his consistent support of older Americans.

Madam Chairman, the Social Security earnings limitation test is unfair to America's senior citizens and discriminates against those who wish to continue working during their golden years. Why should Social Security benefits be denied to those who continue to make a modest income after retirement? Social Security beneficiaries have contributed to the program and deserve an honest return on their investment, without strings attached.

The Federal Government should be adopting policies which encourage Americans to contribute to the economic system. The Social Security earnings limit test discourages those who want to play a productive role from doing so. Senior citizens should be allowed to earn an income without Government penalties.

Again, I strongly support Mr. HASTERT's amendment and encourage my colleagues to support it as well.

□ 1450

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

(By unanimous consent, Mr. HASTERT was allowed to proceed for 1 additional minute.)

Mr. GOODLING. Madam Chairman, will the gentleman yield?

Mr. HASTERT. I yield to the ranking Member, the gentleman from Pennsylvania.

Mr. GOODLING. Madam Chairman, I thank the gentleman for yielding to me. I merely want to compliment the gentleman for offering this sense-of-Congress resolution, and the efforts we would make on its behalf would certainly be very meaningful, I think, to our economy and to our senior citizens.

Mr. MARTINEZ. Madam Chairman, we have no objection to the amendment. Being an original cosponsor of H.R. 2967, I simply say that I agree with what the gentleman is saying. Certainly we have no problem with this amendment and we accept it.

Ms. SNOWE. Madam Chairman, I have long been concerned about the Social Security earnings test and the way in which it penalizes older individuals who remain in the work force. I believe that removing the earnings limit altogether will not only protect older individuals from having their Social Security benefits reduced because they continue to work, but will also benefit our Nation, which is becoming increasingly dependent on the talented and skills of older workers. As our population continues to age, I believe it is essential to look to our Nation's older citizens as an increasingly important segment of the labor force. I firmly believe that older workers should be encouraged to remain in the work force, without being unfairly penalized.

Currently, individuals between the ages of 65 and 70 who earn more than \$9,360 have their benefits reduced \$1 for every \$3 earned above that amount. To correct this discrimination, Representative HASTERT has introduced H.R. 967, the Older Americans Freedom to Work Act of 1991, of which I am an original cosponsor. This bill is designed to eliminate the Social Security earnings limit altogether. In fact, 259 of my colleagues have joined as cosponsors in support of this bill.

However, the amendment which Mr. HASTERT has offered today is not about repealing the earnings test. It is not about raising the benefits to our working seniors. His amendment simply asks that we commit ourselves to investigating the Social Security earnings test's impact on hundreds of thou-

sands of our Nation's senior citizens. How can we say no to an opportunity for increased understanding and knowledge?

I share Mr. HASTERT's concern that the issue of the Social Security earnings test has not yet been properly addressed. I applaud his initiative to learn more about this critical issue. In fact, I cannot think of a more appropriate place to study this issue than the 1993 White House Conference on Aging, nor a more appropriate place to offer this amendment than in the Older Americans Act, an act committed to serving the social and economic needs of our Nation's senior citizens.

I hope that you will join me in support of this amendment.

Mr. KLUG. Madam Chairman, I rise in support of the legislation now before us, the reauthorization of the Older Americans Act and the amendment offered by Mr. HASTERT which would express the sense of the Congress that the upcoming conference on aging should consider the impact of the Social Security earnings test. Year after year the Older Americans Act has proven to be one of the most effective and acclaimed programs funded by the Congress. It is the primary vehicle for the organization and delivery of social services to elderly Americans. The act establishes programs which try to improve the lives of seniors in respect to income, health, housing, long-term care, and transportation. These programs provide important nutritional services, create job opportunities for low-income seniors, fund training and research in the field of aging, and many other services which benefit older Americans. As I have traveled throughout the Second Congressional District of Wisconsin, I have come in contact with several seniors who benefit directly from the programs operated through this act. Without these programs numerous, elderly individuals, especially those who reside in rural areas, would have to travel great distances and go through several difficulties in order to receive the assistance they require. Regarding the amendment offered today by Mr. HASTERT, the earnings limit is something that the Congress needs to look at very closely. I am cosponsoring the legislation introduced by Mr. HASTERT which would repeal this earnings limitation and allow seniors to work past retirement without losing their Social Security benefits. The Conference on Aging would be an excellent forum to discuss the impact of repealing this Social Security earnings limit, which unfairly penalizes seniors for wanting to become independent of Government assistance. There are many talented older Americans who want to work and share their job skills, but under the present earnings limitation law, they are essentially forced out of the labor market because they lose \$1 of their benefits for every \$3 they earn above \$9,720. This is bad public policy. This penalty, in addition to other taxes employees pay, represents an effective taxation rate of nearly 60 percent for older Americans. With rising health care and other costs, many seniors depend on outside income to meet their needs. The Government should not be in the practice of overly taxing older Americans who are attempting to be financially independent.

I urge all of my colleagues to support the amendment offered by Mr. HASTERT in addition

to the reauthorization of the Older Americans Act.

Mr. GILMAN. Madam Chairman, I am pleased to rise in support of Representative HASTERT's amendment to the Older Americans Act. This amendment expresses the sense of Congress that the 1993 White House Conference on Aging should consider the impact of the Social Security earnings test on older individuals who are employed.

I would like to commend Mr. Hastert for introducing this important amendment.

As you may know, in addition to cosponsoring Mr. HASTERT's measure, H.R. 9867, the Older American Freedom to Work Act, I have introduced legislation to fully repeal the Social Security earnings test. My Bill, H.R. 102, eliminates the earnings test for Social Security beneficiaries over the age of 65, as well as raises the new cap on outside earnings for those Social Security beneficiaries between the ages of 62 and 65.

Under current law, Social Security beneficiaries under the age of 70 who are employed or self-employed received their full benefits unless their earnings exceed the annual earnings limitation.

Currently senior citizens over the age of 65 lose \$1 for every \$3 which they earn over the income cap. While this is an improvement over the previous 1:2 reduction—a reduction that those seniors under the age of 65 are still subject to—the reduction translates into a draconian tax rate of 33 percent for our Nation's seniors. A tax rate that is not affordable by most seniors.

Take for example a senior over the age 65 earning a modest amount just over the earnings cap is subject to the earnings test 33 percent marginal tax. When the income and Social Security taxes that seniors pay are added, the total tax bill can reach 60 percent of a senior's earnings.

The Social Security earnings test originated with the creation of the Social Security System in 1935. One purpose was to remove older workers from the labor force in order to create jobs for the young. However, in today's labor situation, seniors are able to meet the increasing demand for service-oriented workers, and most importantly, they enjoy working. By allowing seniors to return to the work force, they provide many benefits to our Nation, such as increased tax revenues, as well as alleviating the depression and loneliness that often accompanies the later years in an individual's life.

Senior citizens make up approximately 34.9 million of the population, and this number is growing steadily. Our Nation's seniors are skilled, knowledgeable, reliable, and eager to work.

Madam Chairman, Mr. HASTERT's Amendment to H.R. 2967 is a step in the right direction. I urge all my colleagues to take this opportunity to help our Nation's seniors by expressing their support and voting in favor of this amendment.

Mr. RINALDO. Madam Chairman, I rise in support of the amendment proposed by Mr. HASTERT of Illinois to express the sense of Congress that the 1993 White House Conference on Aging consider the impact of the Social Security earnings test on older workers.

As a proponent of earnings test reform, I firmly believe that no person should be dis-

couraged from striving to remain a productive part of our labor force, particularly on the basis of his age.

The earnings test helps no one. From the business community, I hear that we need mature, experienced workers to keep our Nation competitive; yet the earnings test keeps these workers out of the work place. And from older workers, I understand that financial pressures make part time, and even full time, employment a necessary supplement to Social Security benefits. Making ends meet is a struggle for many seniors, but the earnings test means a loss in Social Security benefits for even modest earned income.

The earnings test does not apply to income from investments and pensions, but it does deny Social Security benefits to millions of Americans who have not had the luxury of saving for retirement. This is clearly not fair to those older individuals who must work to keep up with increases in the cost of rent, food, and health insurance.

Previous White House Conferences on Aging have been responsible for the enactment of the Medicare Program and the Older Americans' Act. These are significant accomplishments which have improved the quality of life for older Americans.

I believe that repeal of this limit will also be a significant improvement in the lives of many of our Nation's elderly, and I am confident that expressing the sense of the Congress on this issue will certainly be an important first step toward the elimination of the earnings test.

Mr. HOUGHTON. Madam Chairman, I rise in support of the Hastert amendment. I have worked to eliminate the earnings test since I came to Congress, and I hope that this initiative will place added weight to this effort.

I have been in touch with the Social Security Administration. They tell me that among men 62 to 69, 5.1 percent who file for Social Security have their benefits reduced. This means 276,200 people. Among women, the figure is 2.4 percent or 103,810 people. The information I get from my ex-employer, Corning, Inc., tells me that many retirees return to work part time. They want to work, they are experienced, valuable contributors, but they often must quit well before their assignment is completed. Why? They have reached their earnings limit.

Madam Chairman, by changing the earnings limitation we will be able to reduce, forever, a substantial cost associated with the Social Security Program. And it will permit us to harness the usable, the useful, and the unused pool of the best talent of all—dedicated and experienced seniors. I may be missing something, but I feel it would be that simple.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. HASTERT].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. WALKER. Madam Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2, rule XXIII, the Chair announces that she will reduce to a

minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 255]

Abercrombie	Dixon	Johnson (CT)
Ackerman	Donnelly	Johnson (SD)
Alexander	Dooley	Johnson (TX)
Allard	Dorgan (ND)	Johnston
Anderson	Dornan (CA)	Jones (GA)
Andrews (ME)	Downey	Jontz
Andrews (NJ)	Duncan	Kanjorski
Andrews (TX)	Durbin	Kaptur
Annunzio	Dwyer	Kasich
Anthony	Dymally	Kennedy
Applegate	Early	Kennelly
Armey	Eckart	Kildee
Aspin	Edwards (CA)	Kleczka
Atkins	Edwards (OK)	Klug
AuCoin	Edwards (TX)	Kolbe
Bacchus	Emerson	Kopetski
Baker	Engel	Kostmayer
Ballenger	English	Kyl
Barnard	Erdreich	LaFalce
Barrett	Espy	Lagomarsino
Barton	Evans	Lancaster
Bateman	Ewing	Lantos
Beilenson	Fascell	LaRocco
Bennett	Fawell	Leach
Bentley	Feighan	Lent
Bereuter	Fields	Levin (MI)
Bevill	Fish	Lewis (FL)
Bilbray	Flake	Lewis (GA)
Bilirakis	Foglietta	Lightfoot
Bliley	Ford (MI)	Lipinski
Boehlert	Ford (TN)	Livingston
Boehner	Frost	Lloyd
Bonior	Gallo	Long
Borski	Gaydos	Lowey (NY)
Boucher	Gejdenson	Luken
Boxer	Gekas	Machtley
Brewster	Geren	Manton
Brooks	Gilchrest	Markey
Broomfield	Gillmor	Martin
Browder	Gilman	Martinez
Brown	Gingrich	Matsui
Bruce	Glickman	Mavroules
Bryant	Gonzalez	Mazzoli
Bunning	Goodling	McCandless
Burton	Gordon	McCloskey
Bustamante	Goss	McCollum
Byron	Gradison	McCrery
Callahan	Grandy	McCurdy
Camp	Green	McDade
Campbell (CA)	Guarini	McDermott
Campbell (CO)	Gunderson	McEwen
Cardin	Hall (OH)	McGrath
Carper	Hall (TX)	McHugh
Carr	Hamilton	McMillan (NC)
Chandler	Hammerschmidt	McMillen (MD)
Chapman	Hancock	McNulty
Clay	Hansen	Meyers
Clement	Harris	Michel
Clinger	Hastert	Miller (OH)
Coble	Hayes (IL)	Miller (WA)
Coleman (MO)	Hefley	Mineta
Coleman (TX)	Hefner	Mink
Collins (IL)	Henry	Moakley
Collins (MI)	Hertel	Molinari
Combest	Hoagland	Mollohan
Condit	Hobson	Montgomery
Cooper	Hochbrueckner	Moody
Costello	Horn	Moorhead
Cox (CA)	Horton	Moran
Cox (IL)	Houghton	Morella
Coyne	Hoyer	Morrison
Cramer	Hubbard	Mrazek
Cunningham	Huckaby	Myers
Darden	Hughes	Natcher
de la Garza	Hutto	Neal (MA)
DeFazio	Hyde	Neal (NC)
DeLauro	Inhofe	Nichols
DeLay	Jacobs	Nowak
Dellums	James	Nussle
Derrick	Jefferson	Oakar
Dickinson	Jenkins	Oberstar

Obey	Roth
Olin	Roukema
Oliver	Rowland
Ortiz	Roybal
Orton	Russo
Owens (UT)	Sabo
Oxley	Sangmeister
Packard	Santorum
Pallone	Sarpalius
Panetta	Savage
Parker	Sawyer
Patterson	Saxton
Paxon	Schaefer
Payne (VA)	Schiff
Pease	Schroeder
Pelosi	Schulze
Penny	Schumer
Perkins	Sensenbrenner
Peterson (FL)	Sharp
Peterson (MN)	Shaw
Petri	Shays
Pickett	Shuster
Porter	Sikorski
Poshard	Sisisky
Price	Skaggs
Pursell	Skeen
Rahall	Skelton
Ramstad	Slaughter (NY)
Ravenel	Slaughter (VA)
Reed	Smith (FL)
Regula	Smith (IA)
Rhodes	Smith (NJ)
Richardson	Smith (OR)
Ridge	Smith (TX)
Rinaldo	Snowe
Ritter	Solarz
Roberts	Solomon
Roe	Spence
Roemer	Spratt
Rogers	Staggers
Rohrabacher	Stallings
Ros-Lehtinen	Stearns
Rose	Stenholm
Rostenkowski	Stokes

Studds	Darden
Stump	de la Garza
Sundquist	DeFazio
Swett	DeLauro
Swift	DeLay
Synar	Dellums
Tallan	Derrick
Tanner	Dickinson
Tauzin	Dingell
Taylor (MS)	Dixon
Taylor (NC)	Donnelly
Thomas (GA)	Dooley
Thomas (WY)	Dorgan (ND)
Thornton	Dornan (CA)
Torres	Downey
Trafficant	Duncan
Traxler	Durbin
Unsoeld	Dwyer
Upton	Dymally
Valentine	Early
Vander Jagt	Eckart
Visclosky	Edwards (CA)
Volkmer	Edwards (OK)
Vucanovich	Edwards (TX)
Walker	Emerson
Walsh	Engel
Waxman	English
Weber	Erdreich
Weiss	Espy
Weldon	Evans
Wheat	Ewing
Whitten	Fawell
Williams	Feighan
Wilson	Fields
Wise	Fish
Wolf	Flake
Wolpe	Foglietta
Wyden	Ford (MI)
Wyllie	Ford (TN)
Yates	Frank (MA)
Young (AK)	Franks (CT)
Young (FL)	Frost
Zeliff	Gallo
Zimmer	Gaydos

□ 1515

The CHAIRMAN. Three hundred seventy-five Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Pennsylvania [Mr. WALKER], for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair will state this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 383, noes 0, not voting 49, as follows:

[Roll No. 256]

AYES—383

Abercrombie	Bentley	Campbell (CA)
Ackerman	Bereuter	Campbell (CO)
Alexander	Bevill	Cardin
Allard	Bilbray	Carper
Anderson	Bilirakis	Carr
Andrews (ME)	Bliley	Chandler
Andrews (NJ)	Boehlert	Chapman
Andrews (TX)	Boehner	Clay
Annunzio	Bonior	Clement
Anthony	Borski	Clinger
Applegate	Boucher	Coble
Archer	Boxer	Coleman (MO)
Armey	Brewster	Coleman (TX)
Aspin	Brooks	Collins (IL)
Atkins	Broomfield	Collins (MI)
AuCoin	Browder	Combest
Bacchus	Brown	Condit
Baker	Bruce	Conyers
Ballenger	Bryant	Cooper
Barnard	Bunning	Costello
Barrett	Burton	Cox (CA)
Barton	Bustamante	Cox (IL)
Bateman	Byron	Coyne
Beilenson	Callahan	Cramer
Bennett	Camp	Cunningham
		Jontz
		Kanjorski
		Kaptur
		Kasich
		Kennedy
		Kennelly
		Kildee
		Kleczka
		Klug
		Kolbe
		Kopetski
		Kostmayer
		Kyl
		LaFalce
		Lagomarsino
		Lancaster
		Lantos
		LaRocco
		Leach
		Levin (MI)
		Lewis (FL)
		Lewis (GA)
		Lightfoot
		Lipinski
		Livingston
		Lloyd
		Long
		Lowey (NY)
		Luken
		Machtley
		Manton
		Markey
		Martin
		Martinez
		Matsui
		Mavroules
		Mazzoli
		McCandless
		McCloskey
		McCollum
		McCrery
		McCurdy
		McDade
		McDermott
		McEwen
		McGrath
		McHugh
		McMillan (NC)
		McMillen (MD)
		McNulty
		Meyers
		Michel
		Miller (CA)
		Miller (OH)
		Miller (WA)
		Mineta
		Mink
		Moakley
		Molinari
		Mollohan
		Montgomery
		Moody
		Moorhead
		Moran
		Morella
		Morrison
		Myers
		Nagle
		Natcher
		Neal (NC)
		Nichols
		Nowak
		Nussle
		Oakar
		Oberstar
		Obey
		Olin
		Oliver
		Ortiz
		Orton
		Owens (UT)
		Oxley
		Packard
		Pallone
		Panetta
		Parker
		Patterson
		Paxon
		Payne (VA)
		Pease
		Pelosi
		Penny
		Perkins
		Peterson (FL)
		Peterson (MN)
		Petri
		Pickett
		Poshard
		Price
		Pursell
		Rahall
		Ramstad
		Ravenel
		Reed
		Regula
		Rhodes
		Richardson
		Ridge
		Riggs
		Rinaldo
		Ritter
		Roberts
		Roe
		Roemer
		Rogers
		Rohrabacher
		Ros-Lehtinen
		Rose
		Rostenkowski
		Roth
		Roukema
		Rowland
		Roybal
		Russo
		Sabo
		Sanders
		Sangmeister
		Santorum
		Sarpalius
		Savage
		Sawyer
		Saxton
		Schaefer
		Scheuer
		Schiff
		Schroeder
		Schulze
		Schumer
		Sensenbrenner
		Sharp
		Shaw
		Shays
		Shuster
		Sikorski
		Sisisky
		Skaggs
		Skeen
		Skelton
		Slattery
		Slaughter (NY)
		Slaughter (VA)
		Smith (FL)
		Smith (IA)
		Smith (NJ)
		Smith (OR)
		Smith (TX)
		Snowe
		Solarz
		Solomon
		Spratt
		Staggers
		Stallings
		Stearns
		Stenholm
		Stokes
		Studds
		Stump
		Sundquist
		Swett
		Swift
		Synar
		Tallan
		Tanner
		Tauzin
		Taylor (MS)
		Taylor (NC)
		Thomas (GA)
		Thomas (WY)
		Thornton
		Torres
		Torricelli
		Trafficant
		Traxler
		Unsoeld
		Upton
		Valentine
		Vander Jagt
		Vento
		Visclosky
		Volkmer
		Vucanovich
		Walker

Walsh	Whitten	Wyllie
Washington	Williams	Yates
Waxman	Wilson	Young (AK)
Weber	Wise	Young (FL)
Weiss	Wolf	Zeliff
Weldon	Wolpe	Zimmer
Wheat	Wyden	

NOES—0
NOT VOTING—49

Berman	Hopkins	Murtha
Coughlin	Hunter	Neal (MA)
Crane	Ireland	Owens (NY)
Dannemeyer	Jenkins	Payne (NJ)
Davis	Jones (NC)	Pickle
Dicks	Kolter	Quillen
Doolittle	Laughlin	Rangel
Dreier	Lehman (CA)	Ray
Fascell	Lehman (FL)	Serrano
Fazio	Lent	Spence
Gallegly	Levine (CA)	Stark
Gephardt	Lewis (CA)	Thomas (CA)
Gibbons	Lowery (CA)	Towns
Hatcher	Marlenee	Waters
Hayes (LA)	Mfume	Yatron
Herger	Mrazek	
Holloway	Murphy	

□ 1523

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TRAFICANT
Mr. TRAFICANT. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Traficant: At the end of the bill, add the following:

SEC. 403. SENSE OF CONGRESS.

It is the sense of the Congress that a recipient (including a nation, individual, group, or organization) of any form of grant or other Federal assistance under this Act should, in expending that assistance, purchase American-made equipment and products.

SEC. NOTICE.

The Secretary of Health and Human Services shall provide procedures to inform such recipients of the Sense of the Congress under the above section.

Mr. TRAFICANT (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Madam Chairman, this is a modest amendment. It is a sense-of-Congress amendment providing that any form of grants or other Federal assistance under this act be used to purchase American-made goods and products. I think it is nothing more than a reminder. It is probably not needed, like in some instances, because our seniors usually buy American. But it is a reminder that Congress should be sending out.

Mr. MARTINEZ. Madam Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the chairman of the subcommittee.

Mr. MARTINEZ. Madam Chairman, we have no objection to the amendment, and we accept the amendment on this side.

Mr. GOODLING. Madam Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the vice-chairman of the committee.

Mr. GOODLING. Madam Chairman, we are happy to accept the amendment on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to the bill?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MAZZOLI) having assumed the chair, Mrs. PATTERSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2967) to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 1992 through 1995; to authorize a 1993 National Conference on Aging; to amend the Native Americans Programs Act of 1974 to authorize appropriations for fiscal years 1992 through 1995; and for other purposes, pursuant to House Resolution 219, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GOODLING. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 385, noes 0, not voting 47, as follows:

[Roll No. 257]

AYES—385

Abercrombie	Annunzio	Bacchus
Ackerman	Anthony	Baker
Alexander	Applegate	Ballenger
Allard	Archer	Barnard
Anderson	Armer	Barrett
Andrews (ME)	Aspin	Barton
Andrews (NJ)	Atkins	Bateman
Andrews (TX)	AuCoin	Beilenson
Bennett	Bentley	Bereuter
Bevil	Bilbray	Bilirakis
Bliley	Boehlert	Boehner
Bonior	Borski	Boucher
Boxer	Brewster	Brooks
Broomfield	Browder	Brown
Bryant	Bunning	Burton
Bustamante	Byron	Callahan
Camp	Campbell (CA)	Campbell (CO)
Cardin	Carper	Carr
Chandler	Chapman	Clay
Clement	Clinger	Coble
Coleman (MO)	Coleman (TX)	Collins (IL)
Collins (MI)	Combest	Conyers
Cooper	Costello	Cox (CA)
Cox (IL)	Coyne	Cramer
Cunningham	Darden	de la Garza
DeFazio	DeLauro	DeLay
Dellums	Derrick	Dickinson
Dingell	Dixon	Donnelly
Dooley	Dorgan (ND)	Dornan (CA)
Downey	Duncan	Durbin
Dwyer	Early	Eckart
Edwards (CA)	Edwards (OK)	Edwards (TX)
Emerson	Engel	English
Erdreich	Espy	Evans
Ewing	Fascell	Fawell
Feighan	Fields	Fish
Flake	Foglietta	Ford (MI)
Ford (TN)	Frank (MA)	Franks (CT)
Frost	Gallo	Gaydos
Gejdenson	Gekas	Geren
Gilchrest	Gillmor	Gilman
Gingrich	Glickman	Gonzalez
Goodling	Gordon	Goss
Gradison	Grandy	Green
Guarini	Gunderson	Hall (OH)
Hall (TX)	Hamilton	Hammerschmidt
Hancock	Hansen	Harris
Hastert	Hayes (IL)	Hefley
Hefner	Henry	Hertel
Hoagland	Hobson	Hochbrueckner
Horton	Houghton	Hoyer
Hubbard	Huckaby	Hughes
Hutto	Hyde	Inhofe
Jacobs	James	Jefferson
Jenkins	Johnson (SD)	Johnson (TX)
Johnston	Jones (GA)	Jontz
Kanjorski	Kasich	Kennedy
Kennelly	Kildee	Kleczka
Klug	Kolbe	Kopetski
Kostmayer	Kyl	LaFalce
Lagomarsino	Lancaster	Lantos
LaRocco	Leach	Lent
Levin (MI)	Lewis (FL)	Lewis (GA)
Lightfoot	Livingston	Lloyd
Long	Lowey (NY)	Luken
Machley	Manton	Martin
Martinez	Matsui	Mavroules
Mazzoli	McCandless	McCloskey
McCollum	McCrery	McCurdy
McDade	McDermott	McEwen
McGrath	McHugh	McMillan (NC)
McMillan (MD)	McNulty	Meyers
Michell	Miller (CA)	Miller (OH)
Miller (WA)	Mineta	Mink
Moakley	Molinar	Mollohan
Montgomery	Moody	Moorhead
Moran	Morella	Morrison
Mrazek	Myers	Nagle
Natcher	Neal (NC)	Nichols
Nowak	Nussle	Oakar
Oberstar	Obe	Olin
Owens (NY)	Owens (UT)	Oxley
Packard	Pallone	Panetta
Parker	Patterson	Paxon
Payne (VA)	Pease	Pelosi
Penny	Perkins	Peterson (FL)
Peterson (MN)	Petri	Pickett
Porter	Poshard	Price
Pursell	Rahall	Ramstad
Rangel	Ravenel	Reed
Regula	Rhodes	Richardson
Ridge	Riggs	Rinaldo
Ritter	Roberts	Roe
Roemer	Rogers	Rohrabacher
Ros-Lehtinen	Rose	Rostenkowski
Roth	Roukema	Rowland
Saboo	Sanders	Sangmeister
Santorum	Sarpalio	Savage
Sawyer	Saxton	Schaefer
Scheuer	Schiff	Schroeder
Schulze	Schumer	Sensenbrenner
Sharp	Shaw	

Shays	Studds	Vucanovich
Shuster	Stump	Walker
Sikorski	Sundquist	Walsh
Siskisky	Swett	Washington
Skaggs	Swift	Waters
Skeen	Synar	Waxman
Skelton	Tallon	Weber
Slattery	Tanner	Weiss
Slaughter (NY)	Tauzin	Weldon
Slaughter (VA)	Taylor (MS)	Wheat
Smith (FL)	Taylor (NC)	Whitten
Smith (IA)	Thomas (GA)	Williams
Smith (NJ)	Thomas (WY)	Wilson
Smith (OR)	Thornton	Wise
Smith (TX)	Torres	Wolf
Snowe	Torricelli	Wolpe
Solarz	Trafficant	Wyden
Solomon	Traxler	Wylie
Spence	Unsoeld	Yates
Spratt	Upton	Young (AK)
Staggers	Valentine	Young (FL)
Stallings	Vander Jagt	Zeliff
Stearns	Vento	Zimmer
Stenholm	Visclosky	
Stokes	Volkmer	

NOT VOTING—47

Berman	Herger	Markey
Condit	Holloway	Marlenee
Coughlin	Hopkins	Mfume
Crane	Hunter	Murphy
Dannemeyer	Ireland	Murtha
Davis	Johnson (CT)	Neal (MA)
Dicks	Jones (NC)	Payne (NJ)
Doollittle	Kaptur	Pickle
Dreier	Kolter	Quillen
Dymally	Laughlin	Ray
Fazio	Lehman (CA)	Serrano
Galleghy	Lehman (FL)	Stark
Gephardt	Levine (CA)	Thomas (CA)
Gibbons	Lewis (CA)	Towns
Hatcher	Lipinski	Yatron
Hayes (LA)	Lowery (CA)	

□ 1553

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. JOHNSON of Connecticut. Madam Speaker, I was unavoidably detained at a meeting with my constituents elsewhere in the Capitol during the vote on final passage of the Older Americans Act.

Had I been present, I would have voted "aye."

EXPLANATION OF ABSENCE

Mr. GALLEGLY. Mr. Speaker, I regret that, due to important business in my district, I was unable to participate in the votes on the Older American Act reauthorization. Had I been here, I would have supported both the Hastert amendment on the Social Security earnings test and the bill itself on final passage.

PERSONAL EXPLANATION

Mr. DANNEMEYER. Mr. Speaker, I was unable to be here to vote on rollcalls numbered 254, 256, and 257. Rollcall vote 255 was a quorum call.

If I had been present I would have voted "no" to rollcall No. 254, "yes" to rollcall No. 256, and "yes" to rollcall No. 257.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2967, OLDER AMERICANS ACT AMENDMENTS OF 1991

Mr. MARTINEZ. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2967, the Clerk be authorized to make corrections in section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the action of the House in amending H.R. 2967, the bill just passed.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from California?

There was no objection.

GENERAL LEAVE

Mr. MARTINEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2967, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION FOR COMMITTEE ON ENERGY AND COMMERCE TO HAVE UNTIL 6 P.M. FRIDAY, SEPTEMBER 13, 1991, TO FILE REPORT ON H.R. 3090

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce have until 6 p.m. on Friday, September 13, 1991, to file its report to accompany H.R. 3090.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. LENT. Mr. Speaker, reserving the right to object, the gentleman from New York has no objection and consents to this request.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2508, INTERNATIONAL CO-OPERATION ACT OF 1991

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2508) to amend the Foreign Assistance Act of 1961 to rewrite the authorities of that act in order to establish more effective assistance programs and eliminate obsolete and inconsistent provisions, to amend the Arms Export Control Act and to redesignate that act as the Defense Trade and Export Control Act, to

authorize appropriations for foreign assistance programs for fiscal years 1992 and 1993, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. BROOMFIELD

Mr. BROOMFIELD. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. BROOMFIELD moves that the managers on the part of the House of Representatives at the conference on the disagreeing votes of the two Houses on the bill H.R. 2508 be instructed to insist on maintaining the position of the House with respect to the provisions of Title IV of the House bill, related to International Narcotics Control.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 30 minutes, and the gentleman from Florida [Mr. FASCELL] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan [Mr. BROOMFIELD].

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. BROOMFIELD. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Speaker, we support the motion.

Mr. Speaker, I yield back the balance of my time.

Mr. BROOMFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I offer this motion to instruct conferees to insist on the House position in title IV of H.R. 2508, the International Cooperation Act of 1991.

Title IV of H.R. 2508 is a comprehensive rewrite of the international narcotics control provision of the Foreign Assistance Act of 1961. While I wish the Congress could have engaged in a long overdue rewrite of the entire foreign aid process, it was not possible this year. The House did, however, rewrite and streamline the provisions of law concerning international narcotics control.

In a bipartisan effort, the task force on international narcotics control of the Committee on Foreign Affairs spent many days consolidating and updating legislation to strengthen our overseas efforts in the drug war.

While S. 1435, the Senate-passed version, was almost silent on international narcotics provisions, H.R. 2508 represents a major step forward in our ability to support international narcotics control programs, and significantly increases the administration's flexibility in such programs.

H.R. 2508 allows the administration to provide more types of narcotics-re-

lated assistance in more circumstances. H.R. 2508 authorizes the full administration request of \$171.5 million for fiscal year 1992. It completely rewrites the annual narcotics certification process and links the process directly to the landmark 1988 U.N. Convention.

The requirements for the annual international narcotics control strategy report are revised and expanded to recognize the global nature of the illicit drug trade. H.R. 2508 provides flexibility for the administration by modifying a number of restrictions in current law which have been added by Congress over the last decade.

Mr. Speaker, the House unanimously approved title IV during consideration of H.R. 2508. There is no section in the bill with stronger bipartisan support. I urge my colleagues to support this motion to instruct the conferees to insist upon the House provisions.

□ 1600

Mr. Speaker, I yield such time as he may consume to my friend, the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I rise in support of the Broomfield motion to instruct foreign aid conferees to insist on the House provisions in title IV of H.R. 2508 dealing with international narcotics control.

As one Member who has been closely involved with legislation to strengthen our overseas counternarcotics efforts for many years, I believe the bipartisan package in title IV represents a significant advance in our efforts. Our provisions on international narcotics control were the product of careful deliberations. Title IV increases the administration's flexibility while retaining congressional oversight. It revises the annual narcotics certification process and the international narcotics control strategy report to reflect the changing nature of the international drug trade.

One major advance in our legislation is to recognize the importance of the 1988 U.S. Convention—a document which has helped to truly internationalize the war on drugs. Title IV was unanimously adopted by this House and should be retained in conference.

Mr. Speaker, I urge my colleagues to support Mr. BROOMFIELD's motion to instruct the conferees.

Mr. BROOMFIELD. Mr. Speaker, I have no further requests for time, and I move the previous question on the motion to instruct.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MAZZOLI). The question is on the motion to instruct offered by the gentleman from Michigan [Mr. BROOMFIELD].

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Chair will appoint conferees at a later time.

APPOINTMENT OF CONFEREES ON H.R. 1415, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1992 AND 1993

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1415), to authorize appropriations for fiscal years 1992 and 1993 for the Department of State, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. The Chair will appoint conferees at a later time.

TRIBUTE TO THE HONORABLE WILLIAM H. GRAY III

Mr. ESPY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 220) to honor accomplishments and express the appreciation for a dedicated career in public service of the Honorable William H. Gray III on the occasion of his resignation.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution as follows:

HOUSE RESOLUTION 220

Whereas William H. Gray III was elected to serve in the United States House of Representatives in 1979 as the Representative of the people of the Second Congressional District in Pennsylvania.

Whereas William H. Gray has served the people of his Congressional District with enthusiasm, distinction and compassion.

Whereas during his tenure in the House of Representatives, William H. Gray has served with noted excellence on Congressional Committees including the Committee on Appropriations, Committee on the District of Columbia and the Committee on House Administration.

Whereas Mr. Gray's service as Chairman of the Committee on the Budget and as a Majority Whip was especially distinguished.

Whereas Mr. Gray's legislative acumen and personal affability have rendered him greatly admired and well regarded by his colleagues in the House of Representatives and in other circles throughout the United States and abroad.

Whereas William H. Gray's participation, presence and leadership will be missed in this legislative body.

Resolved, That it is in the sense of the House of Representatives that the outstanding legislative and personal achievements of William H. Gray III should be duly recognized.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. ESPY] is recognized for 1 hour.

Mr. ESPY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our beloved Member of the House of Representatives, Bill Gray, resigned on yesterday, and beyond his tenure as majority whip, we recognize his distinguished service in this House of Representatives as having served as chairman of the Committee on the Budget and as having served as chairman of the Democratic caucus, and so we would like to take this time, Mr. Speaker, just to pay tribute to a distinguished career.

There are a number of speakers, Members of the House, who asked me all day today what time we would begin this special resolution, and I am sure that they will be making their way to the floor as we move through this.

Mr. Speaker, I appreciate the opportunity to speak in support of this concurrent resolution in honor of a departing colleague who is leaving behind a legacy of service and achievement in the U.S. Congress that will inspire our Nation for many years to come.

Bill Gray is leaving behind 434 colleagues who respect his leadership and appreciate his commitment to our country. And he is leaving behind a record which will ensure his place in the history books of our Nation.

Bill Gray has mastered the art of politics. He rose to leadership in the Congress on the strength of his vision, on the basis of his ability, and because of his hard work and dedication. He moved to the top the old-fashioned way—he earned it.

Members of Congress from both sides of the aisle, and from all regions of the country, know Bill as a skillful consensus molder. We know him as an expert coalition builder. We know him as an inspirational leader and an informed teacher. And most of all, we know him as an impassioned preacher.

Bill Gray has been a leading spokesman on United States policy toward Africa. He has been a leading voice for minority- and women-owned businesses, and a champion of historically black colleges and universities. He has been a voice for working and middle-income Americans, and for those Americans who have been locked out of the economic mainstream.

He has been a voice for racial justice and a passionate fighter for civil rights.

His legislative record includes authorship of the House versions of the Anti-Apartheid Acts of 1985 and 1986, sponsoring the emergency food aid bill for Ethiopia in 1984, and writing the bill which established the Africa Development Foundation in 1984.

But, despite all of his outstanding accomplishments in this body, this particular Member of Congress will re-

member Bill Gray most because he has been, and continues to be, a friend.

Five years ago, as a freshman Congressman from Mississippi, I was appointed to the House Budget Committee. Bill Gray was the chairman. He did not have to take time to personally assist a new member of the committee—but he did. He did not have to take the time to help me understand the process—but he did. He could have been aloof, but he was not.

He is leaving the Congress this week—but he is not leaving the career of public service to which he is dedicated.

At the United Negro College Fund, Bill will be using his considerable talents to help provide educational opportunities to African-American youth who otherwise would have none. He will use his leadership ability to help the UNCF be even more effective in its mission of educating the next generation of African-American leaders.

His leaving will certainly be a loss for the Congress. But knowing Bill as I do, I am sure that, in the long run, it will be a plus for African-Americans, and most of all, for our Nation.

Mr. Speaker, I know that all of my colleagues will join me in supporting this resolution in honor of the service of our distinguished former majority whip, Congressman Bill Gray, and I will at this time yield time to any other Member seeking to have time in honor of the life of Bill Gray in this body and in support of the resolution honoring his life.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Speaker, and Members of the House, I rise in support of the resolution commending our distinguished colleague, William Gray, who ascended to the high office of whip in this institution.

Mr. Speaker, I concur in all of the remarks of my distinguished colleague, the gentleman from Mississippi [Mr. ESPY], in his congratulations and his laudatory comments with respect to our colleague.

I would simply conclude by saying that I have always cherished the friendship that I have with my distinguished colleague, the gentleman from Pennsylvania, Mr. GRAY, and I look forward to seeing him continue to rise and go forward in a bright and intelligent fashion that he exemplified as a Member of this body.

□ 1610

Mr. ESPY. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Speaker, I rise in commendation of Congressman Gray, now our former colleague, who will always be remembered in our hearts very dearly.

Mr. CONYERS. Mr. Speaker, it is with a heavy heart that I voice my support for this

resolution, as it marks the occasion of the moving on of my close friend and colleague, Majority Whip Bill Gray.

For 12 years our colleague has distinguished himself as statesman and friend to many of us in this Chamber. His work on the various committees on which he has served and in the leadership of this institution can only be described as stellar. It is rare, Mr. Speaker, that a member with such a level of dedication, affability and compassion comes among us; Bill Gray is one, and I am sorry to see him go.

Bill's leadership is the standard by which all of us in the Congressional Black Caucus, and indeed in the Congress, should strive to achieve. I wish him the best as president of the United Negro College Fund, as he continues his service to the future of black leadership.

Mr. BORSKI. Mr. Speaker, I rise to commend and congratulate my good friend and colleague, Bill Gray, as he leaves Congress.

I rise, however, with mixed feelings. I know that Bill Gray has made his decision to leave Congress based on what is right for him and for his family. I know that Bill's work for the United Negro College Fund will follow in his family's tradition of furthering educational opportunities for black Americans. And I know that the fund will be better for having Bill Gray as its president.

But in the midst of those good feelings, I feel a sense of loss, for myself, for Philadelphia, for the Congress and for the United States.

Since I first came to Congress in 1983, Bill has provided me with guidance and advice. The wisdom of a senior colleague is a valuable commodity to a junior member, and Bill was a font of wisdom.

He has been both a friend and a confidante, an advisor on politics and policy, and a steady source of support at all times. I will miss Bill Gray.

Bill has been the informal "dean" of the Philadelphia delegation since 1981. But even before that, he was hard at work for the city and its people.

Bill's work for Philadelphia has been far-reaching. He has been pastor of Bright Hope Baptist Church since 1972, and preaches there to this day.

Bill worked to improve living conditions for Philadelphia's lower income residents as head of a nonprofit housing corporation and served on the boards of the Philadelphia Urban Coalition, the Health and Welfare Council of Philadelphia and the Children's Hospital of Philadelphia. He also wrote a weekly column for the Philadelphia Tribune.

In 1978, Bill was elected to Congress, and began representing the people of the Second Congressional District of Pennsylvania. On the Budget Committee he pressed for increased funding for social programs, even in the face of the Reagan administration's defense buildup.

Bill Gray has fought for Philadelphia's port, transit system, and naval shipyard. He's struggled on behalf of Philadelphia's working men and women and for Philadelphia's fiscal survival.

One recent example of Bill Gray's lasting legacy for the people of Philadelphia is the

victory he won in providing a dedicated source of State funding for mass transit in Pennsylvania.

After over 2 years of struggle, legislation sponsored by Bill forced Pennsylvania to join the rest of the country in supporting transit. With Philadelphia relying on the largest transit system in the State, this was a major achievement for the city.

To say that Bill Gray is also a major player in Philadelphia politics is an understatement. His support is critical in almost any election in Philly, and his opposition is often too overpowering to be countered. I do not think it would be stretching the truth to say that, on his retirement from politics, Bill is the most influential figure on the Philadelphia political scene.

Yes, Philadelphians will miss Bill Gray.

The Congress is also losing one of its all-time brightest stars. From the very beginning of his tenure here in Washington, Bill Gray was a man to be reckoned with.

He was elected president of the 1978 freshman class, and won seats on the Budget, Foreign Affairs and Steering and Policy Committees.

By 1985, he was chairman of the Budget Committee, where he consistently built majority coalitions in support of his committee's budget resolutions. After 4 years in the Budget Committee chair, Bill Gray moved on, and up, as he was overwhelmingly elected to the chairmanship of the House Democratic caucus.

Within a year, Bill had been elected majority whip, the office he now leaves. I have no doubt, that had Bill not decided to accept the United Negro College Fund presidency, he would have been Speaker of the House by the turn of the century. The U.S. Congress will miss Bill Gray.

Finally, America is losing one of its premier statesmen. Bill Gray has become well known throughout the country as a spokesman for Congress, the Democratic Party, Philadelphia and black Americans. And, as the highest elected African-American official, Bill has been a source of pride and a role model for the black community.

We will all miss Bill Gray. I wish him, his wife Andrea and his three children all the best.

The United Negro College Fund's gain is surely our loss.

Mr. SMITH of Florida. Mr. Speaker, I rise today to pay tribute to a colleague of ours who decided to leave the Congress: the Honorable William H. Gray, III of the great State of Pennsylvania.

Bill Gray has had one of the most remarkable careers in congressional history. In a mere 12 years of congressional service, Bill rose to become first the chairman of the Budget Committee and finally, the first African-American member of the House leadership when he became the majority whip in 1989.

Bill Gray took over the chairmanship of the Budget Committee in 1985 during very dark days for the Democrats. Ronald Reagan had just won the largest landslide in American history and the House had suffered through 4 years of budget turmoil. Under Gray's chairmanship, the House Democrats reversed the Reagan priorities and reestablished Democratic unity. The four budget resolutions by Bill

Gray's Budget Committee passed with a combined Democratic vote of 919-77, and ended the Republican/boll-weevil control of the Budget process.

As majority whip, the list of legislation Bill Gray helped pass in a mere 2 years is lengthy. By forging the coalitions needed to pass the Family and Medical Leave Act, the National Voter Registration Act, and the Civil Rights Bills of 1990 and 1991, and by garnering the votes to pass the Child Care bill, the Brady Handgun bill, the Minimum Wage bill, the Ethics Reform Package of 1989, and the largest deficit reduction package in American history, Gray proved to be both a master politician and coalition builder.

Furthermore, it is a tribute to Bill Gray's character to understand why he is leaving the House at this stage of his political life. Bill is resigning to become the president of the United Negro College Fund. Bill comes from a family dedicated to education. Both his parents were college professors, and his father was President of Florida A&M University. It is fitting that he is continuing this honorable legacy by becoming the head of the organization responsible for educating 40 percent of all the African-Americans who receive college degrees.

Bill Gray truly exemplifies the word service. Both in government and now as head of the UNCF, Bill has excelled as both a leader for Americans in general and African-Americans in particular. I will miss Bill's leadership in the House, but I know that whatever cause Bill decides to champion, he will do it with the drive and the energy that he exemplified here in the House. It has been an honor to work with Bill during my years in the House, and it is an honor to call him a friend as he pursues new and greater challenges in the years to come.

Mr. ESPY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, I have asked for this time for the purpose of engaging the majority leader, or his representative, in a colloquy about the schedule for next week.

Mr. DELLUMS. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I am glad to yield to my good friend, the gentleman from California.

Mr. DELLUMS. Mr. Speaker, I thank the gentleman for yielding to me. I have been temporarily promoted to the high office of leadership.

Mr. SOLOMON. Congratulations.

Mr. DELLUMS. Mr. Speaker, I thank my colleague. It is momentary, I assure the gentleman.

Mr. Speaker, if my colleague will continue to yield, the program for the House of Representatives for the week of September 16, 1991, is as follows:

On Monday, September 16, the House will meet at noon. There will be one bill under Suspension, S. 296, Armed Forces Immigration Adjustment Act of 1991, followed by H.R. 3291, District of Columbia appropriations for fiscal year 1992, with 1 hour of debate; and H.R. 3040, unemployment compensation amendments, rule and general debate only.

On Tuesday, September 17, the House will meet at 9 a.m. and will adjourn by 1 p.m. There will be the Private Calendar.

Also on the agenda for Tuesday will be a continuation of H.R. 3040, unemployment compensation amendments, to complete consideration.

The House will adjourn Tuesday at 1 p.m., as I said earlier, in observation of Yom Kippur.

On Wednesday, September 18, the House is not in session.

On Thursday, September 19, the House meets at 10 a.m. There will be no legislative business.

On Friday, September 20, the House is not in session.

Mr. SOLOMON. Mr. Speaker, could the gentleman enlighten the membership as to what will happen if votes do occur on any of these three bills that will be taken up prior to general debate on the unemployment insurance bill? How might those votes be taken and at what time?

Mr. DELLUMS. Mr. Speaker, if the gentleman will yield further, the Suspension can be moved, and as the gentleman knows, under a Suspension bill the vote can be carried over until the next day.

The problem we have with respect to H.R. 3291, the District of Columbia appropriations for fiscal year 1992, is that if a motion to recommit is offered on the floor, as the gentleman knows, under the rules of the House that motion cannot be carried over until the next day.

Similarly, with respect to H.R. 3040, the unemployment compensation amendments, if a vote occurs on the previous question, again under the rules of the House that vote cannot be carried over.

So what this gentleman is saying to my distinguished colleague, the gentleman from New York, is that we cannot on this side guarantee that there will be no votes, but as I understand from the leadership, they will endeavor to work with the minority to try to construct it in such a fashion that it minimizes any hardship on the Members.

Mr. SOLOMON. Well, Mr. Speaker, if I might just inform the membership, there is in all likelihood, as a matter of fact almost guaranteed, that there will be votes on Monday. We have just completed a Rules Committee meeting on the unemployment insurance bill, H.R. 3040. To us, we think it is a very unfair rule that none of the Republican

amendments were allowed to be in order, including the Republican leadership amendment and substitute.

Therefore, there will certainly be a fight on the rule on the floor, and no doubt there will be votes.

I might just point out that if that does occur, which it probably will, if we go into session at 12 noon, it looks to me that those votes might occur sometime between 2 and 3 or 3:30 in the afternoon; so I would enlighten the membership to expect votes probably at that time.

Mr. DELLUMS. Mr. Speaker, will the gentleman yield further?

Mr. SOLOMON. I am happy to yield to the gentleman from California.

Mr. DELLUMS. Mr. Speaker, I certainly understand the gentleman's remarks. It seems clear to this gentleman that the votes may even occur earlier than 2 o'clock, so that all Members should be advised and admonished that on Monday they should be present in the Chamber because votes more than likely will occur.

Mr. SOLOMON. Well, I thank the gentleman for clarifying this for the membership.

Mr. DELLUMS. Mr. Speaker, I thank the gentleman for allowing me to ascend to the high office of the leadership momentarily.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3040, UNEMPLOYMENT COMPENSATION AMENDMENTS

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-201) on the resolution (H. Res. 221) providing for the consideration of the bill (H.R. 3040) to provide a program of Federal supplemental compensation, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT TO MONDAY, SEPTEMBER 16, 1991

Mr. MOAKLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday, September 16, 1991.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HOURLY OF MEETING ON TUESDAY, SEPTEMBER 17, 1991

Mr. MOAKLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, September 16, 1991, it adjourn to meet at 9 a.m. on Tuesday, September 17, 1991.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

**ADJOURNMENT FROM TUESDAY,
SEPTEMBER 17, TO THURSDAY,
SEPTEMBER 19, 1991**

Mr. MOAKLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, September 17, 1991, it adjourn to meet at 10 a.m. on Thursday, September 19, 1991.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

**THE 450TH ANNIVERSARY OF
JESUIT ORDER**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. FOLEY] is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, 1991 marks the 500th anniversary of the birth of St. Ignatius of Loyola, the founder of the Society of Jesus. It is also the 450th anniversary of Ignatius' election as the first general of the Jesuit Order. Both these historical landmarks are worthy of note in themselves but, in a more personal way, the cause as well of reflection for those whose lives have been touched by the Jesuits.

The Jesuits have presented many faces to the world. In Charles Kingsley's epic tale of English adventure on the Spanish Main, "Westward Ho," the Jesuits filled the role of the fanatical janissaries of Roman Catholicism as seen from a 19th century Protestant point of view. They have been called the intellectual shock troops of the counter-reformation, owing loyalty directly to the Pope, and Jesuits such as Edmund Campion were martyred in their efforts to return the faith to England.

Jesuits were from the beginning missionaries, spreading the Gospel along the far reaches of western exploration—in India, China, Japan, Africa, and North and South America. Again there were martyrs—Francis Xavier, Isaac Jogues, and many others. They insisted on proselytizing in communities and cultures inherently hostile to their message and their means of delivering it, which was often advanced within a program of humanitarian service and social justice.

The Jesuits were, and remain, teachers. Their schools and universities throughout the world have been centers of scientific and intellectual advancement, particularly in philosophy and theology. From the Council of Trent to the Second Vatican Council, Jesuit theologians have played a prominent role in shaping the direction of Catholic doctrine. And Jesuit influence in the governance of certain European monarchies was once so prominent that it eventually led to the suppression of the order. It is probably from this political involvement that the term "jesuitical" came to mean given to intrigue or equivocation.

In this modern age, Jesuits are still martyrs—in El Salvador and other parts of Latin America. They are still teachers whose teaching both inspires and molds governing elites—often of radically different political persuasions. It is the quality of this teaching, its striving for the development of the whole man, however,

that is the gift its students most employ in their lives beyond the university. His secretary described Ignatius as a "contemplative in action." Those who have received a Jesuit education are taught to strive for this duality as a means of advancing both their own faith and social justice.

For many critics of the Jesuits, it is a sign of priestly or religious failure that much of their work is politically tinged in its social activism. Some are shocked by the almost adventurist nature of some Jesuit theological thought. There are in fact areas of Jesuit expression which provoke lively discussion within the order itself and among its students. Both are signs of the vitality and intellectual vigor of Jesuit teaching and proselytizing. Both are strengths as long as they reflect devotion to spiritual growth and intellectual honesty.

For the great majority of those exposed to Jesuit teaching in this country, great controversy is removed from their experience. They count an education second to none as the benefit of their Jesuit tutelage. But all are taught to understand and to be prepared to accept the moral challenges they may encounter in life. Whatever path each may choose, he or she has a stake in the continuing mission of the Jesuits. Probably the best proof of the enduring value these products of Jesuit instruction see in what they have received lies in their willingness to send their children back to the Jesuits for educating.

These varied experiences are all part of the legacy of Ignatius and his small band of followers. As a biased product of Jesuit education, I believe the order remains a vibrant and enduring force for the pursuit of man's reconciliation with God through his effort to improve the world in which God has placed him. Long may Jesuits around the world—and those they have touched—continue to pursue this goal.

□ 1620

**LEGISLATION AFFECTING FARM
PRICES AND THE CURRENT
GATT TALKS**

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from Kansas [Mr. ROBERTS] is recognized for 5 minutes.

Mr. ROBERTS. Mr. Speaker, today I have introduced legislation that affects the current GATT talks, agriculture, aid prospects to the Soviet Union, our domestic food supplies and what the American consumer pays for their market basket of food. Obviously that is a pretty tall order especially when you consider the fact my legislation is simple; it merely moves the June 30, 1992 deadline for completion of an acceptable GATT agreement to January 1 of the coming year.

Why the legislation? Why move the deadline? In the first place, farm prices are at depressed levels and the outlook for U.S. agriculture exports is bleak. Things are tough in farm country and it may get tougher.

Second, everyone wants to help avert starvation in the Soviet Republics but

how are we going to provide that assistance, especially when our current grain stockpiles are declining. Not to worry, we are not running out of grain but current carryovers are coming down to reasonable levels that usually cause concern in this town. A major Soviet purchase could bring consumer lobbies out of the price control woodwork.

Third, there is concern and frustration in farm country. The good news is that ending stocks for wheat are around 600 million bushels, a level that generally translates into \$4 wheat in Dodge City, KS, and renewed prosperity and rural development. The bad news is that the surplus is at reasonable levels and there has been no price recovery, wheat is still about a dollar below last year's level. What is going on?

We are in fact at a farm program policy crossroads. Our wheat producers have lost over half of their export market share. The United States has been cast in the role of being the world's residual supplier. Our competitors for the world's wheat, grain and other commodity markets are growing in number and in their ability to produce in abundance.

It is not probable but certainly possible for this country to witness lower grain stocks at home combined with continued low farm prices, a sharp increase in food prices and demands for grain imports and a sudden realization we may be giving the Soviet people credits to purchase what we don't have.

We have provisions in the budget act to change our farm program policy if there is no progress on the GATT talks, no resolution of trade distorting subsidies; changes that will protect U.S. farmers and U.S. agriculture.

Thankfully, we have a means to get at this problem. There is a deadline for completion of an acceptable GATT agreement and it is June 30 of next year. But, why wait and endure another crop year of low prices, loss of market share and more pain and suffering throughout farm country not to mention the bizarre scenario I described previously.

My legislation would move the June 30, 1992 deadline to January 1 of the coming year. By doing so, our GATT negotiators will be able to send a clear and tough signal to the European Community that the United States will not permit any more footdragging by some of the EC member countries.

Each day, each week, each month that goes by without some resolution of the unfair trading practices adds to the economic burden we in farm country must shoulder as we struggle to feed this country, a troubled and hungry world and still make a profit.

My legislation does not change the nature of the so-called GATT-triggered trade policy tools in the reconciliation agreement. And, we do have the tools

to regain market share and improve farm income; an expanded export program, a marketing loan for wheat and feed grains and no acreage reduction programs.

The rest of the provisions include waiving the budget agreement of last year, additional funding for export programs, and marketing loans—that deadline is June 30, 1993, and under my legislation would be moved to June 30, 1992.

Now, some have accused me of advocating a trade war. Consider this, we are already in a trade war and we are losing. It is time to fight back. We can no longer afford to be the world's residual supplier. We can no longer afford to be the world's sole practitioner of supply management. The more we ask our farmers to set aside, the more our competitors increase their acreage and subsidize their farmers. We can no longer afford the foot dragging by other parties to the GATT discussions that keep a final resolution out of reach.

Mr. Speaker, I am not advocating a trade war. But, as I said before, we are in the midst of a battle and I think its time to get out of the trenches. I urge my colleagues to support the development and implementation of an aggressive trade policy that will result in either a successful trade agreement or that will enable us to recapture our markets. I welcome cosponsors and debate on this issue.

A summary of my bill follows:

SUMMARY

The Agriculture Reconciliation Act of 1990, which is contained in the Omnibus Reconciliation Act, contains triggered provisions that shall or may be used in the event the USTR is unable to reach an agreement by June 30, 1992.

The statute states that if: (subsection a) such an agreement cannot be reached, the Secretary of Agriculture is:

(1) Authorized to waive any minimum level for any acreage limitation for the 93-95 crops of wheat, feed grains, upland cotton or rice. I.E., no ARP or setaside.

(2) Shall increase funding for export promotion and export programs by \$1 billion beginning October 1, 1993.

(3) Shall permit (implement) market loans for wheat and feed grains.

In addition, if a GATT agreement does not enter into force, i.e., is not implemented by June 30, 1993, then:

(1) The requirements of the 1990 budget agreement can be waived in all or part.

(2) Further increases shall be made in programs authorized under the Ag Trade Act of 1978.

(3) Again, shall implement marketing loans.

The Roberts Bill leaves this provision in place, but changes the pertinent deadlines and implementation dates.

The bill's new deadline is January 1, 1992. And, all provisions authorized to kick in starting in 1993 are changed to start in 1992.

THE OCTOBER SURPRISE TASK FORCE

The SPEAKER pro tempore (Ms. WATERS). Under a previous order of the

House, the gentleman from New York [Mr. SOLOMON], is recognized for 5 minutes.

Mr. SOLOMON. Madam Speaker, Walter Lippman, that great American liberal, in his famous treatise entitled "public opinion," published back in 1922, wrote the following, and I quote:

That legalized atrocity, the congressional investigation, in which Congressmen, starved of their legitimate food for thought, go on a wild and feverish manhunt, and do not stop at cannibalism.

Twenty-two years later, in 1944, then Senator Harry S. Truman, said in the Senate, and I quote: "In my opinion, the power of investigation is one of the most important powers of Congress."

And he went on: "The manner in which that power is exercised will largely determine the position and prestige of the Congress in the future."

Madam Speaker, while Lippman and Truman had slightly different views on the value of congressional investigations, I think they both would agree that the reputation of the Congress can be greatly affected, for better or worse, by the manner in which investigations are conducted.

I raise this point because I am greatly disturbed by the prospect of an ad hoc task force conducting a formal investigation into allegations that are over a decade old.

I am referring, of course, to the Speaker's announcement of August 5, that he was calling on the chairman of the Foreign Affairs Committee to form a task force to inquire into allegations that the 1980 Republican Presidential campaign was somehow involved in a delay of the release of hostages in Iran.

Madam Speaker, my concern is not so much about the subject of the inquiry, though I question just how much can be ascertained some 11 years after the fact. Instead I am more concerned about the wisdom of having an ad hoc task force conducting such a formal inquiry, and all its implications for the institution.

My major concern centers on the fact that task forces are not subject to House rules and procedures, including sunshine rules for meetings and hearings, protections for minority members, and the rights of witnesses.

All of these rules which now apply to House standing committees and subcommittees have been developed over two centuries and have served this institution well in ensuring orderly process, accountability, and openness.

But with just one stroke of the Speaker's pen in creating this so-called October surprise task force, these rules, procedures and protections have been thrown out the window. What we are left with is an animal of uncertain origin, traits or behavior being unleashed to roam freely in search of who-knows-what?

Madam Speaker, I raise this issue not because I have any question about the

intelligence, integrity or fairness of the person who has been designated chairman of the task force. I have the greatest respect for the gentleman from Indiana [Mr. HAMILTON], dating back to our many years together on the Foreign Affairs Committee.

I know he didn't ask for this task and was somewhat reluctant to take it given all the important current concerns of his Subcommittee on Europe and the Middle East. And I can't say I blame him for being apprehensive about mounting this uncertain beast he has been stuck with.

I am sure he has already been struck with many of the same questions I have about the nature of the beast:

Are we creatures of the leadership or the committee?

What authority does the task force have?

What staff will it have and how much will it cost?

How long will the inquiry last?

Will we have subpoena power and how do we get it?

Should we be subject to the same open meeting and hearing rules as other committees?

Should we give the minority the same rights to call witnesses and file views as they have on House committees?

What are our quorum requirements and how many Members are required to depose witnesses?

Will we have both domestic and foreign travel authority?

Do we file our final report with the committee, the leadership, or the House?

How do we evade the Democratic caucus rule that limits committees to not more than eight subcommittees, including task forces lasting more than 6 months?

Madam Speaker, these are just a few of the questions that are raised at the outset, before the task force has even been fully appointed or organized. Can you imagine how many more questions will arise once it begins its inquiry? Can you imagine the potential procedural and legal problems which might arise when public witnesses try to deal with this unusual entity.

Madam Speaker, I am raising these issues and questions now because I am concerned about the reputation of this institution. If we do not address them properly from the outset and ensure that the task force is operating within the same limits as other House entities, we will be opening ourselves to all manner of difficulties and even embarrassment down the road.

I strongly urge the bipartisan leadership and the Foreign Affairs Committee to sit down and iron these matters out now, before the task force sets off on its uncertain course.

Madam Speaker, I will include in the RECORD at this point a letter I have written to the Speaker on this matter. The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 12, 1991.
Hon. TOM FOLEY,
Speaker, House of Representatives, Washington,
DC.

DEAR MR. SPEAKER: As the Ranking Republican on the Rules Committee, I am writing to express my concern about certain procedural issues raised in connection with the creation of the so-called "October Surprise" task force which you announced back on August 5th.

Most of my concerns revolve around the fact that task forces are not subject to the same House Rules as standing committees and subcommittees. I would therefore like to propound the following questions:

(1) Is the task force to be considered a leadership or committee task force?

(2) Will the task force have subpoena authority, and if so, how will it get it?

(3) Will a time limit be placed on the inquiry, and if not, how long do you expect it to last?

(4) If the task force lasts longer than six months, how will this be reconciled with the Democratic Caucus prohibition on more than eight subcommittees, including task forces lasting longer than six months?

(5) Will the task force require additional staff, and, if so, how many and at what cost?

(6) Will the task force be subject to all the same rules as other House committees and subcommittees, and, if so, how will such authority, requirements, and procedures be extended to the task force—by the House, the Foreign Affairs Committee, or self-adopted rules?

(7) Will the minority have the same right to call witnesses and file views as it now has under House Rules for committees?

(8) Will the task force have foreign and domestic travel authority, and, if so, do you expect the task force to engage in extensive travel?

(9) Will witnesses before the task force have the same protections as they now have before committees under House Rules?

(10) Will the task force file its final report with the Foreign Affairs Committee, the Speaker, or the House?

I am sure you will agree that the sooner these questions are resolved, preferably before the task force begins its work, the greater will be the chances that the integrity of its proceedings and the reputation of the House will be protected.

With all best wishes, I am

Very truly yours,

GERALD B. SOLOMON,
Member of Congress.

□ 1630

APPOINTMENT OF CONFEREES ON H.R. 2508, INTERNATIONAL CO- OPERATION ACT OF 1991

THE SPEAKER pro tempore (Mr. DELLUMS). Without objection the Chair appoints the following conferees on H.R. 2508, the International Cooperation Act of 1991, and, without objection, reserves the authority to make additional appointments of conferees to specific particular portions of the House bill and Senate amendment as the subject of various appointments:

From the Committee on Foreign Affairs, for consideration of the House bill, and the Senate amendment, and modifications committed to con-

ference: Messrs. FASCELL, HAMILTON, YATRON, SOLARZ, GEJDENSON, DYMALLY, TORRICELLI, BROOMFIELD, GILMAN, LAGOMARSINO and LEACH.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1415, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1992 AND 1993

THE SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 1415, Foreign Relations Authorization Act, fiscal years 1992 and 1993, and, without objection, reserves the authority to make additional appointments of conferees and to specify particular portions of the House bill and Senate amendment as the subject of various appointments:

From the Committee on Foreign Affairs, for consideration of the House bill, and the Senate amendment, and modifications committed to conference: Messrs. FASCELL, BERMAN, WEISS, DYMALLY, FALEOMAVAEGA, LANTOS, and BROOMFIELD, Ms. SNOWE, Mr. GILMAN, and Mr. SMITH of New Jersey.

From the Committee on Banking, Finance and Urban Affairs, for consideration of sections 128, 915 and 1042 of the Senate amendment, and modifications committed to conference: Ms. OAKAR, and Messrs. NEAL of North Carolina, LAFALCE, LEACH, and BREUTER.

From the Committee on the Judiciary, for consideration of sections 126, 171, and 208 of the House bill, and sections 123-25, 143-44, 711-12 of the Senate amendment, and modifications committed to conference: Messrs. BROOKS, MAZZOLI, KOPETSKI, FISH, and MCCOLLUM.

From the Committee on Post Office and Civil Service, for consideration of sections 118 and 121, and part D of title I of the House bill, and sections 119 and 920, and part D of title I of the Senate amendment, and modifications committed to conference: Messrs. CLAY, SIKORSKI, ACKERMAN, HORTON, and MYERS of Indiana.

From the Committee on Ways and Means, for consideration of sections 621, 913, 925, and 1104 of the Senate amendment, and modifications committed to conference: Messrs. ROSTENKOWSKI, GIBBONS, JENKINS, ARCHER, and CRANE.

There was no objection.

CHARLIE MATERO: MAKING WESTCHESTER A BETTER PLACE

THE SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mrs. LOWEY] is recognized for 5 minutes.

Mrs. LOWEY of New York. Madam Speaker, I rise today to pay tribute to one of those individuals who, through wide-ranging activities benefiting diverse parts of his community, has won the respect and admiration of the entire community. Tonight, my good friend, Char-

lie Matero, is being honored by Westchester's 52 Association for the Handicapped with its 1991 Medal of Honor. Charlie well deserves this recognition. He has been a loyal and reliable supporter of the 52 Association for many years, and through this and his other activities, he has made a real difference in the lives of his Westchester neighbors.

A Westchester County native, Charlie served our Nation with distinction during World War II. For many years, he has been a leader in the International Union of Operating Engineers, which he currently serves as business representative. He is also actively involved with professional organizations including the Westchester Private Industry Council, the Hudson Valley Labor-Management Council, and the Labor Advisory Board to Westchester County's government.

In addition to Charlie's many professional involvements, he has been an exceptional friend of such important charities as the Cerebral Palsy Foundation, the American Committee on Italian Immigration, the Boy Scouts of America, the American Diabetes Association, and the N.A.A.C.P. He was an active volunteer fireman for many years. In each of those capacities, he has served others and worked to make life better for many.

These good works have not gone unnoticed. Charlie has been honored for his humanitarian spirit and service the Westchester Community College Foundation, B'nai B'rith, United Cerebral Palsy of Westchester, Westchester County Affirmative Action Council, Boys Town of Italy, the Dr. I Foundation, and the National Conference of Christians and Jews.

It is my privilege to count Charlie Matero as a friend and as a trusted advisor. In working with Charlie over the years, I have seen first hand how he gets things done. His life is a fine example of the success that can be achieved by hard work, good sense and a dedication to what is right. Without fail, when the people of Westchester have needed him, Charlie Matero has been there ready to help. This latest honor is one that he richly deserves, and I am pleased to join in calling attention to all of Charlie's good works.

DRUG SUPPLY REDUCTION ACT OF 1991

THE SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 5 minutes.

Mr. MICHEL. Madam Speaker, today I join my colleague, Mr. COUGHLIN, in introducing the second part of the President's drug strategy legislation.

This bill, the Drug Supply Reduction Act of 1991 includes interdiction systems improvements, new Coast Guard authority, financial enforcement enhancements, drug testing and other law enforcement system improvements.

Along with attempts to reduce drug demand we must also attack the drug supply side. I urge my colleagues to join us in this important legislation and I am submitting for the RECORD a section-by-section analysis of the legislation.

SECTION-BY-SECTION ANALYSIS

TITLE I—INTERDICTION SYSTEM IMPROVEMENTS

Sec. 101.—Short title for title I.

This section names this title of the Bill the "Order to Land Act of 1991".

Sec. 102.—Criminal penalty for failure to land.

This proposal would make it a criminal offense for intentionally failing to obey the order of an authorized Federal law enforcement officer to land an aircraft. One who violates this section shall be subject to fines under this title or imprisoned not more than three years, or both. Aircraft used in violation of this section may be seized and shall be forfeited.

Sec. 103.—FAA revocation authority.

This section would amend the Federal Aviation Act of 1958 to authorize revocation of an aircraft's registration certificate by operation of law upon a pilot or operator's intentional refusal to land an aircraft.

A person whose airman certificate is revoked by the Administrator may follow the appeal procedures set forth in subsection (c)(3) of Section 609 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1429(c)(3)).

Sec. 104.—Coast Guard air interdiction authority.

This amends title 14 of the United States Code to provide the Coast Guard with specific law enforcement authority with respect to aircraft flying over the high seas and waters over which the United States has jurisdiction.

Sec. 105.—Coast Guard civil penalty provisions.

This amends title 14 of the United States Code to provide the Coast Guard with a civil penalty, not to exceed \$5000, for intentional violations of proposed section 2237 of title 18, United States Code (Section 102 of this Act), involving orders issued by Coast Guard commissioned officers, warrant officers, or petty officers.

Sec. 106.—Customs orders.

This amends the enforcement provisions of Section 1581 of Title 19 so as to clarify that Customs officers may exercise their enforcement authority outside of the United States, including any location in which Customs Officers are permitted to conduct inspections, examinations or searches, including any such location in a foreign country.

Sec. 107.—Customs civil penalty provisions.

This provides the Customs Service with a civil penalty, not to exceed \$5,000, for intentional violations of proposed section 2237 of title 18, United States Code (Section 102 of this Act), involving orders issued by Customs officers.

TITLE II—NEW COAST GUARD AUTHORITIES

Sec. 201.—Short title for title B.

This section names title II the "Coast Guard Assistance Act of 1991".

Sec. 202.—Information exchange and assistance.

This section will clarify the authority of the Coast Guard to provide assistance and suggestions to the State Department on matters in which the Coast Guard may have a substantial interest. The change in new subsection (a) reflects additional missions that have been statutorily assigned to the Coast Guard since section 142 was codified in 1949. This section would broaden this authority to include the provision of assistance to the United Nations or other recognized international organizations.

Sec. 203.—Assistance to foreign governments and international organizations.

This section will clarify the authority of the President under 14 U.S.C. 149 to utilize members and facilities of the Coast Guard to assist foreign governments and international organizations.

Sec. 204.—Amendment to the Mansfield amendment to permit law enforcement operations in archipelagic waters.

Under current 22 U.S.C. 2291(c) (the Mansfield amendment), officers and employees of the United States may not directly effect arrests in any foreign country as part of a foreign police action with respect to narcotics control efforts, unless the arrest is made in the territorial sea of the country with the agreement of that country.

This amendment would permit Coast Guard operations to be conducted in the archipelagic waters of an archipelagic state as well as the territorial seas of that country, subject to the agreement of that country.

TITLE III—FINANCIAL ENFORCEMENT

Sec. 301.—Short title for title III.

This section names this title the "Financial Enforcement Act of 1991."

Sec. 302.—Anti-structuring amendment.

This technical amendment makes a change to the anti-structuring provision of the Bank Secrecy Act, 31 U.S.C. 5324, to specify that structuring transactions to avoid the \$3000 identification requirement of 31 U.S.C. 5325 is prohibited.

The proposed amendment will make it clear that customer structuring of transactions or smurfing to avoid the \$3000 identification requirement is also a violation of the Bank Secrecy Act.

Sec. 303.—FATF recommendations.

This section contains provisions necessary to bring the financial enforcement program in the United States into conformity with the recommendations of the Financial Action Task Force (FATF) on money laundering.

Sec. 304.—Geographic targeting amendment.

This amendment adds a provision to section 5326 prohibiting financial institutions from disclosing the existence or terms of the order to any person except as prescribed by the Secretary.

Sec. 305.—Amendments to the Right to Financial Privacy Act.

This section extends the protection of section 1103(c) of the RFPA to a financial institution that severs relations with a customer or refuses to do business because of information underlying a suspicious transaction report, and by specifying that the financial institution that acts in good faith in reporting a suspicious transaction is protected from civil liability to the customer under any theory of state or Federal law.

This amendment also broadens the protection of section 1103(c) to the wide range of bank and non-bank institutions subject to the Bank Secrecy Act, 31 U.S.C. 5312, to the extent that these institutions are required to file suspicious transaction reports. Non-bank institutions, which are required to file suspicious transaction reports, may similarly be inhibited from reporting suspicious transactions by fear of civil liability for defamation or breach of contract or under financial or consumer privacy laws.

Under this proposal, the protection from civil liability would apply to any institution enumerated in 31 U.S.C. 5312 if the Secretary has exercised his regulatory authority under proposed 31 U.S.C. 5318(g) (Section 303 of this Bill) by requiring that type of institution to file a report on suspicious transactions.)

Sec. 306.—Transfer of Records to FinCen.

Section 1112 of the RFPA, 12 U.S.A. 3412, provides that an agency that obtains financial records in accordance with the RFPA (either after customer notice or pursuant to an authorized notice exception) notify a customer if it transfers the records to another agency.

The amendment adds a new subsection 1112(g) to provide that an agency can trans-

fer records obtained in accordance with the RFPA to FinCen for criminal law enforcement purposes without customer notice. FinCen also would be able to disseminate the results of its analysis whether based in whole or in part on records obtained subject to the RFPA to the appropriate agency for criminal investigation without customer notice.

Sec. 307.—Technical amendment substituting the Secretary of Agriculture for the Secretary of the Treasury.

This amendment would give administrative responsibility for payment from the Drug Pollution Fund to the Secretary of Agriculture.

TITLE IV—DRUG TESTING

Sec. 401.—Drug testing of Federal offenders on post conviction release.

This section would create a nationwide program of drug testing for Federal offenders on post-conviction release.

Subsection (a) of section 401 adds a new section to the criminal code (proposed 18 U.S.C. 3608) requiring a drug-testing program for Federal offenders on post-conviction release.

Subsection (b) amends existing statutes to provide that defendants placed on parole, probation or post-imprisonment supervised release will be subject to a mandatory condition that they refrain from illegal use of drugs and submit to drug tests.

Subsection (c) contains amendments that make revocation of release mandatory if an offender unlawfully uses drugs or refuses to cooperate in required drug testing.

Sec. 402.—Drug testing in State criminal justice systems as a condition of receipt of justice drug grants.

This section generally conditions eligibility for federal justice assistance funding on state's adoption of drug-testing program for targeted classes of persons confined in or subject to the supervision of the state's criminal justice system.

TITLE V—OTHER LAW ENFORCEMENT SYSTEM IMPROVEMENTS

Sec. 501.—Short title for title V.

This section names this title the "Drug Law Enforcement System Improvements Act of 1991."

Sec. 502.—Enhancement of penalties for drug trafficking in prisons.

This proposal is designed to increase the penalties for drug possession and trafficking inside Federal prisons, jails, and detention facilities, as well as for smuggling or attempts to smuggle controlled substances into such institutions.

Sec. 503.—Seizure of vehicles with concealed compartments.

This section would amend the seizure and forfeiture provisions of the Anti-Smuggling Act of 1935, 19 U.S.C. 1703, to subject trucks and private automobiles to seizure if there is a concealed compartment, whether or not there is contraband or narcotics residue.

Sec. 504.—Close loophole for illegal importation of small drug quantities.

This proposal would amend section 497 of the Tariff Act of 1930, 19 U.S.C. 1497, to eliminate a loophole whereby in certain situations involving failure to declare illegal importation of small quantities of drugs, the violator is subject to a very minor penalty.

Sec. 505.—Undercover operations—churn-ing.

This proposal would make permanent the authority in Section 7608(c) of the Internal Revenue Code, thus facilitating the ability of the Internal Revenue Service to plan long-term undercover operations targeted at money laundering.

Sec. 506.—Drug paraphernalia amendment. This section makes an addition to the drug paraphernalia statute (section 422 of the Controlled Substances Act) (21 U.S.C. 863). Under this law, which was originally enacted as part of the Anti-Drug Abuse Act of 1986, it is illegal to use the mails to sell drug paraphernalia, to offer for sale such paraphernalia in interstate or foreign commerce, or to import or export such paraphernalia. A violation of this law is felony punishable by up to three years imprisonment and a \$100,000 fine.

The proposal would add a new subsection to the paraphernalia statute, which would create a civil penalty of up to \$100,000 for violations of the paraphernalia statute, and would authorize the Attorney General to seek injunctive relief against persons who violate the statute.

Sec. 507.—Correction of resentencing sanction for revocation of probation for possession of a controlled substance.

This section takes the view that, upon revocation of probation, the court shall impose any appropriate term of imprisonment.

Sec. 508.—Conforming amendments concerning marihuana.

This amendment makes conforming changes two sections of law creating identical penalties for domestically trafficking in or importing marihuana.

The first part of the proposed amendment would add "mixture or substance" language to the lowest penalty level provisions relating to marihuana in the Controlled Substances Act and the Controlled Substances Import and Export Act, thus conforming these provisions to the others set forth in those statutes.

The proposed amendment would change the provision in section 960(b)(4) to 50 rather than 100 plants.

Sec. 509.—Addition of drug conspiracies and attempts and serious crack possession offenses by juveniles as warranting adult prosecution.

This amendment would add certain "crack" cocaine and drug conspiracy and attempt offenses committed by juveniles to the list of crimes set forth in 18 U.S.C. 5032 authorizing prosecution as an adult if the Attorney General certifies that there is a "substantial federal interest in the case" that justifies adult prosecution.

Sec. 510.—Serious drug offenses by juveniles as Armed Career Criminal Act predicates.

This section includes acts of juveniles delinquency that, if committed by an adult, would meet the Act's definition of a "serious drug offense," i.e., those drug felonies that carry a maximum prison term of ten years or more.

Sec. 511.—Conforming amendment adding certain drug offenses as requiring fingerprinting and records for recidivist juveniles.

This proposal makes conforming changes to 18 U.S.C. 5038(d) and (f), statutes which require a court to fingerprint and photograph a juvenile, and transmit to the Federal Bureau of Investigation records concerning juvenile adjudications, whenever a juvenile has on two separate occasions been adjudicated a delinquent for conduct that, if committed by an adult, would be a felony crime of violence or more of several listed felony drug trafficking violations.

Sec. 512.—Clarification of narcotic or other dangerous drugs under the Rico statutes.

This section substitutes a reference to offenses of dealing in "controlled substances", in order to give precise nature of the conduct prohibited.

Sec. 513.—Conforming amendments to recidivist penalty provisions of the Controlled Substances Import and Export Act.

This amendment would essentially effect two conforming changes the need for which arises from the enactment of section 6452 of the Anti-Drug Abuse Act of 1988. Section 6452 eliminated verbose language in 21 U.S.C. 841(b)(1)(A) describing the types of drug offenses repeated commission of which subjects the offender to enhanced penalties (which language is identical to that in other subparagraphs of that section and to language in 21 U.S.C. 960(b)(1), (2), and (3) and 962(b)) and replaced it with the term "felony drug offenses" which was then defined, for purposes only of subparagraph (A), in the next sentence of that paragraph. Section 6452 also amended 21 U.S.C. 841(b)(1)(A), but not its counterpart offense in the Controlled Substances Import and Export Act, 21 U.S.C. 960 (b)(1), to provide for a so-called "three-timer loser" mandatory sentence of life imprisonment for a person who commits a violation of that offense or of sections 405, 405A or 405B (new sections 418-420) of the Controlled Substances Act after two or more convictions for a felony drug offense have become final.

Under the proposed amendment, the same definitional simplification achieved by the amendment of 21 U.S.C. 841 (b)(1)(A) by section 6452 would be extended to the other subparagraphs of that section as well as to the counterpart provisions of section 960(b) and 962(b), and the applicable definition of "felony drug offense" would be moved to a new subsection (c), where it would be applicable throughout each title.

In addition, the "three loser" amendment of 21 U.S.C. 841 (b)(1)(A) enacted by section 6452 of the Anti-Drug Abuse Act of 1988 would be extended as to apply to the comparable import and export offenses in 21 U.S.C. 960 (b)(1). Sections 842 (b)(1) and 960(b)(1) are in all other respects treated identically for penalty purposes and there appears to be no valid reason for the disparity created as a result of the limited amendment in section 6452.

Sec. 514.—Elimination of outmoded language relating to parole.

This section is technical and eliminates various provisions in the Controlled Substances Act and the Controlled Substances Import and Export Act which provide that an individual convicted under the relevant statute shall not be eligible for parole.

Sec. 515.—Conforming amendment to provision punishing a second offense of distributing drugs to a minor.

The proposed amendment would increase the mandatory minimum sentence under subsection (b) to three years, the same as that for second offenses under the companion statute, 21 U.S.C. 860(b).

Sec. 516.—Conditional waiver of 4-year limitation for effective BJA projects.

The proposed new section would establish a "graduation" program that allows BJA to waive the four-year limitation for programs or projects that are proven to be effective subject to certain conditions. These conditions include a declining Federal share and a plan to continue programs or projects without Federal assistance after the sixth year. The Federal share would be limited to 50 percent for the fifth year and 25 percent for the sixth year. States are required to submit to the Bureau a plan showing how the program or project would be funded by non-Federal sources after the sixth year.

REPORT FROM COMMITTEE ON THE BUDGET ON THE STATUS OF FISCAL YEAR 1991 CONGRESSIONAL BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Madam Speaker, on behalf of the Committee on the Budget and as chairman of the Committee on the Budget, pursuant to the procedures of the Committee on the Budget and section 311 of the Congressional Budget Act of 1974, as amended, I am submitting for printing in the CONGRESSIONAL RECORD the official letter to the Speaker advising him of the current level of spending, credit, and revenues for fiscal year 1991.

This is the seventh report of the first session of the 102d Congress. This report is based on the revised budget aggregate levels and committee allocations for fiscal year 1991 as authorized in section 12 of House Concurrent Resolution 121 and as submitted to the House on May 29, 1991.

The term "current level" refers to the estimated amount of budget authority, outlays, credit authority, and revenues that are available—or will be used—for the full fiscal year in question based only on enacted law.

As chairman of the Budget Committee, I intend to keep the House informed regularly on the status of the current level.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, September 11, 1991.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Section 12 of House Concurrent Resolution 121, the Fiscal Year 1992 Budget Resolution, outlined procedures for revising the fiscal year 1991 budget aggregates and allocations. This section, applicable only to the House of Representatives, permits the aggregate levels and committee allocations for fiscal year 1991 to be revised to make them consistent with the discretionary caps and pay-as-you-go provisions of the Budget Enforcement Act of 1990.

The 302(a) allocations to House committees made pursuant to section 12 of H. Con. Res. 121 were printed in the Congressional Record on May 29, 1991, page H. 3698. The new aggregates and committee allocations set all direct spending and revenues exactly at current baseline levels using Congressional Budget Office (CBO) estimates. For discretionary appropriations, the new allocation exactly equals the sum of the existing discretionary caps.

As specified in Section 12, committees are not required to subdivide the fiscal year 1991 amounts allocated to them, and enforcement of the allocations will be based on the total amounts allocated to a committee.

In order to facilitate enforcement under section 302 and 311 of the Congressional Budget Act, I am herewith transmitting the status report for fiscal year 1991 reflecting the changes in budget aggregates and allocations as authorized by Section 12.

The enclosed tables compare enacted legislation to each committee's 302(a) allocation of discretionary new budget authority, new entitlement authority, new direct loan obligations and new primary loan guarantee commitments.

Sincerely,

LEON E. PANETTA,
Chairman.

Enclosures.

REPORT TO THE SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES FROM THE COMMITTEE ON THE BUDGET ON THE STATUS OF THE FISCAL YEAR 1991 CONGRESSIONAL BUDGET ADOPTED IN HOUSE CONCURRENT RESOLUTION 310 AS REVISED PURSUANT TO SECTION 12 OF HOUSE CONCURRENT RESOLUTION 121

REFLECTING COMPLETED ACTION AS OF AUG. 2, 1991

(On-budget amounts, in millions of dollars)

	Budget authority	Outlays	Revenues
Appropriate level	1,187,800	1,155,800	793,000
Current level	1,187,563	1,155,200	793,000
Amount over ceilings	237	600	
Amount over ceilings			
Amount over floor			

BUDGET AUTHORITY

Any measure that provides new budget or entitlement authority, that is not included in the current level estimate, and that exceeds \$237 million in budget authority for fiscal year 1991, if adopted and enacted, would cause the appropriate level of budget authority for that year as set forth in H. Con. Res. 310, as revised, to be exceeded.

OUTLAYS

Any measure that provides new budget or entitlement authority, that is not included in the current level estimate, and that exceeds \$600 million in outlays for fiscal 1991, if adopted and enacted, would cause the appropriate level of outlays for that year as set forth in H. Con. Res. 310, as revised, to be exceeded.

REVENUES

Any measure that would result in a revenue loss that is not included in the current level revenue estimate for fiscal year 1991, if adopted and enacted, would cause revenues to be less than the appropriate level for that year as set forth in H. Con. Res. 310, as revised.

FISCAL YEAR 1991 BUDGET AUTHORITY—COMPARISON OF CURRENT LEVEL AND BUDGET RESOLUTION ALLOCATION BY COMMITTEE PURSUANT TO SECTION 302

(In millions of dollars)

	Current level		
	Budget authority	Direct loans	Primary loan guarantees
House Committee			
Agriculture	0	0	0
Appropriations	-237	0	0
Armed Services	0	0	0
Banking, Finance, and Urban Affairs	0	0	0
District of Columbia	0	0	0
Education and Labor	0	0	0
Energy and Commerce	0	0	0
Foreign Affairs	0	0	0
Government Operations	0	0	0
House Administration	0	0	0
Interior and Insular Affairs	0	0	0
Judiciary	0	0	0
Merchant Marine and Fisheries	0	0	0
Post Office and Civil Service	0	0	0
Public Works and Transportation	0	0	0
Science, Space and Technology	0	0	0
Veterans' Affairs	0	0	0
Ways and Means	0	0	0

Note.—Committees are over (+) or under (-) their 302(a) allocation for discretionary action.

FISCAL YEAR 1991 ALLOCATION OF NEW ENTITLEMENT AUTHORITY (NEA) PURSUANT TO SECTION 302

(In millions of dollars)

Committee	Allocation	Reported ¹	Enacted ²	Enacted over (+)/under (-) allocation
Agriculture	0	0	0	0

FISCAL YEAR 1991 ALLOCATION OF NEW ENTITLEMENT AUTHORITY (NEA) PURSUANT TO SECTION 302—Continued

(In millions of dollars)

Committee	Allocation	Reported ¹	Enacted ²	Enacted over (+)/under (-) allocation
Appropriations	0	0	0	0
Armed Services	0	0	0	0
Banking, Finance, and Urban Affairs	0	0	0	0
District of Columbia	0	0	0	0
Education and Labor	0	0	0	0
Energy and Commerce	0	0	0	0
Foreign Affairs	0	0	0	0
Government Operations	0	0	0	0
House Administration	0	0	0	0
Interior and Insular Affairs	0	0	0	0
Judiciary	0	0	0	0
Merchant Marine and Fisheries	0	0	0	0
Post Office and Civil Service	0	0	0	0
Public Works and Transportation	0	0	0	0
Science, Space and Technology	0	0	0	0
Veterans' Affairs	0	0	0	0
Ways and Means	0	0	0	0

¹ These figures are used for 401(b)(2) of the Budget Act.² These figures are used for 302(f) points of order.U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 11, 1991.

Hon. LEON E. PANETTA,
Chairman, Committee on the Budget, U.S.
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting tab provide an up-to-date tabulation of the current levels of new budget authority, estimated outlays, estimated revenues, and direct and guaranteed loan levels. These estimates are consistent with the technical and economic assumptions in the Concurrent Resolution on the Budget agreed to on May 22, 1991 and are compared to the revised 1991 budget aggregates pursuant to section 12 of House Concurrent Resolution 121. This report, for fiscal year 1991, is tabulated as of close of business August 2, 1991 and is summarized in the following table (in millions of dollars).

	On-budget current level	Revised on-budget aggregates	Current level +/- aggregates
Budget authority	1,187,563	1,187,800	-237
Outlays	1,155,200	1,155,800	-600
Revenues	793,000	793,000	
Direct loans	18,355	18,355	
Guaranteed loans	109,767	109,767	

Since my last report, dated July 10, 1991, there has been no action that affects the current level of spending or revenues.

Sincerely,

ROBERT D. REISCHAUER,
Director.

PARLIAMENTARIAN STATUS REPORT 102D CONG., 1ST
SESS., HOUSE SUPPORTING DETAIL, FISCAL YEAR 1991
AS OF CLOSE OF BUSINESS AUG. 2, 1991

(In millions of dollars)

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues			793,001
Permanent appropriations	740,762	683,281	
Other legislation	668,128	695,667	
Offsetting receipts	-225,151	-225,151	
Total enacted in previous sessions	1,183,740	1,153,797	793,001
II. Enacted this session:			
Extending IRS deadline for Desert Storm troops (Public Law 102-2)			-1

PARLIAMENTARIAN STATUS REPORT 102D CONG., 1ST
SESS., HOUSE SUPPORTING DETAIL, FISCAL YEAR 1991
AS OF CLOSE OF BUSINESS AUG. 2, 1991—Continued

(In millions of dollars)

	Budget authority	Outlays	Revenues
Veteran's education, employment and training amendments (Public Law 102-16)	(1)	(1)	
Disaster emergency supplemental appropriations, 1991 (Public Law 102-27)	3,823	1,401	
Higher education technical amendments (Public Law 102-26)	3	3	
OMB discretionary sequester	-2	-1	
Emergency supplemental for humanitarian assistance (Public Law 102-55)	(1)		
Total enacted this session	3,824	1,403	-1
III. Continuing resolution authority			
IV. Conference agreements ratified by both Houses			
V. Entitlement authority and other mandatory adjustments required to conform with current law estimates in budget resolution			
On-budget current level	1,187,563	1,155,200	793,000
Revised on-budget aggregates	1,187,800	1,155,800	793,000
Amount remaining:			
Over budget resolution			
Under budget resolution	237	600	

¹ Less than \$500,000.

Note.—Detail may not add due to rounding.

REGULATION WILL JEOPARDIZE
MEDICAID PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. HARRIS] is recognized for 5 minutes.

Mr. HARRIS. Madam Speaker, I rise today to express my deep concern about a proposed regulation by the Health Care Financing Administration that is included in today's Federal Register.

This proposed regulation will severely limit Alabama's flexibility to fund the \$1.6 billion budget for Medicaid patients. Currently Alabama is scheduled to begin collecting taxes from health care providers on January 1. These taxes would help our State raise almost \$800 million for Alabama's children and families. Without this substantial funding, our Medicaid Program will be underfunded and very restrictive. It is estimated by the Alabama Medicaid Agency that more than 10,000 patients would be eliminated from the program.

Medicaid provides health insurance for the neediest segment of our population. This regulation would be hardest on the children and their families who would no longer have coverage for any illnesses.

I fear that a scaled back Medicaid Program would also increase our infant mortality rate. In the past several years, with a growing budget Alabama has been able to provide more services to pregnant women and infants. It would be a tragedy to erase these important advances in the saving of our babies.

There is a real danger that all Medicaid patients will no longer receive coverage for prescription drugs. For many older patients this denial would create a severe hardship.

In addition, these changes will threaten our hospitals. In several of the rural counties that I represent our hospitals are already struggling to survive. These reduced payments will probably close their doors.

I regret that President Bush is so intent on attacking the most vulnerable part of our population. It is my hope that this regulation will be dramatically changed to allow States such as Alabama to continue to improve their programs.

FORT SHERIDAN NATIONAL VETERANS CEMETERY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Madam Speaker, tens of thousands of American veterans have paid the price in broken bodies and lost lives to keep our country free. The least we can do is provide them with a final resting place that is pleasing and accessible to their loved ones.

The Department of Veterans Affairs has declared that no other region of this country has a greater need for a veterans' cemetery than metropolitan Chicago. Fortunately, the Chicago area has an ideal site for a new national cemetery on roughly 200 acres of undeveloped land at Fort Sheridan, IL.

Some have argued that the development of a golf course should be given priority at Fort Sheridan, where a U.S. Army base is expected to close in 1994. I cannot understand how a golf course could possibly be given a priority higher than a national veterans cemetery.

Congressman PHILIP CRANE and I have introduced a bipartisan bill, H.R. 315, that would authorize a transfer of the 200 acres at Fort Sheridan from the Army to the Department of Veterans Affairs for use as a cemetery. Our bill is before the Subcommittee on Military Installations and Facilities.

Madam Speaker, as debate continues on the future of Fort Sheridan, I hope my colleagues will take note of a guest column that was published in Monday's Chicago Tribune. The author of this essay argues eloquently in favor of a national veterans cemetery at Fort Sheridan. His column reads as follows:

[From the Chicago Tribune, Sept. 9, 1991]

VETERANS EARNED BURIAL AT FT. SHERIDAN
(By Rick Ellert)

LAKE ZURICH.—The Aug. 8 editorial, "A bleak future for Ft. Sheridan," is one of the most anti-veteran pieces I've ever read. It whines about a veterans' cemetery being "put on the northern end—intended for a golf course and open space."

This area was intended for no such thing; the Fort Sheridan Commission merely recommended this accommodation. The Tribune editorial smacks of elitism and fans selfish desires of a few to buffer affluent neighborhoods with something like a golf course or a park.

The environmental issue is a red herring. The north side of Ft. Sheridan has a small cemetery in place and easily lends itself to a national cemetery. However, this area is as environmentally pristine as a vacant lot in the Loop.

The issue transcends "land use." The national cemeteries were born of the tragedy of

the Civil War. Tens of thousands of soldiers were hastily buried or left where they fell. In 1865 a reburial program was initiated and by 1870 more than 300,000 soldiers had been buried in 70 national cemeteries; 143,000 were unknown. From this came the development of a national policy to care for the graves of veterans in an orderly and dignified way.

The editorial suggests the base be "returned to the people who own it." What cross-section of our society better represents "the people"? The City of Chicago and its collar counties contain more than 700,000 veterans. Nationwide there are 27 million veterans and their spouses eligible for interment in veterans' cemeteries. So to what "people" is the editorial aimed?

It is not a cliché to say that this land has already been purchased by our nation's veterans. From Bunker Hill to Bastogne, from Inchon to Khe Sanh and Khafji, young Americans have suffered and continue to pay the price in every veteran's hospital across this land.

Chicagoland has been designated by the Department of Veterans Affairs as the area most in need of a national cemetery. Ft. Sheridan is vitally important because of its proximity to Chicago and the fort's historical significance. The families and friends of the area's veterans do not need indignity added to their suffering by driving a long distance to honor their loved ones.

Recently the Lake County Forest Preserve system offered \$10 million for the area requested by the Department of Veterans Affairs. A local politician was quoted as saying, "It's \$10 million more than the VA is offering." There's political logic for you: Let Lake County taxpayers fork over another \$10 million for a park that would be utilized only by those near the fort.

If the Department of Defense and the Department of Veterans Affairs can work out an accommodation between themselves, with the transfer of funds or land already budgeted, then it's just going from one pocket to another.

Is the national cemetery system to be relegated to the cheapest land, farther from the veterans' homes, out of sight and surrounded by fields of corn? I think not. We should be saying that sacrifice is worthy of our homage.

The future is not bleak for Ft. Sheridan. A national cemetery will bring the entire community together. It will give Chicagoland the opportunity to establish an "Arlington of the Midwest," to recall the aspirations of our youth and properly mourn all that we lost.

ISRAEL IS A RELIABLE, STRONG ALLY, WORTHY OF RECEIVING LOAN GUARANTEES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho [Mr. STALLINGS] is recognized for 5 minutes.

Mr. STALLINGS. Madam Speaker, as the House begins consideration of the absorption guarantee program to Israel, I wanted to voice my support for this measure. At this stage of the debate, I wish to make only two preliminary points.

First, the last 20 years have been marked by a United States foreign policy that emphasized the free immigration of Soviet Jews to Israel. This policy remains an essential element in our efforts to maintain strong relations with the Soviet Union. These strong relations

with the Soviet Union would not be possible without free emigration of its Jewish population.

To the extent that the proposed guarantees make such immigration possible, they must be seen as a continuation of a policy begun many years ago. They are at once the fulfillment of an obligation incurred when we adopted the policy, and the mechanism to permit fruition of its goals.

Second, Israel has been a reliable friend and a strong democratic ally. Like any good friend, Israel has kept its promises, and that includes past promises to repay United States loans. Israel has never defaulted on any loan extended by the United States. Moreover, standard economic measures, such as the ratio of external debt to GDP, and the stability of its banking system, make it clear Israel is a good risk. Its financial house is in order.

Madam Speaker, I hope to have the opportunity to set out other aspects of my thinking on this issue in the future. But for now it seems to me that the perfect repayment record of Israel should leave little doubt that it is worthy of receiving these loan guarantees, and the history of our own policy suggests it is in our interests to extend them.

ORDER OF BUSINESS

Mr. DORNAN of California. Madam Speaker, I ask unanimous consent to vacate my 60-minute special order and request a 5-minute special order in lieu thereof.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

BIGOTRY AGAINST THE CATHOLIC CHURCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN of California. Madam Speaker and all fellow Americans who follow the proceedings of this Congress, either by its written document printed the next day or by C-SPAN with a growing audience somewhere over 1,200,000, I would suggest you continue to follow these proceedings for the next hour or two for a special order on the distinguished Member who chose to take over the leadership of the Negro College Fund rather than continue here as one of the leaders in the majority. I am very pleased to give up my hour and try to cram an hour's worth of work into 4½ minutes here, on the subject of bigotry and prejudice in this Congress. I cannot think of a group, a caucus, a subcommittee, a committee, or anybody in this Chamber or the other body that is more knowledgeable from a personal standpoint or from years of living than the Black Caucus of the U.S. House of Representatives, who would be more sensitive to, or understanding of, bigotry.

Madam Speaker, the bigotry I speak of in this case is vented toward my re-

ligion, my Roman Catholic faith. And it just occurred to me while waiting to speak that I cannot imagine what it would be like in modern America to be an African-American woman with an Hispanic name who loves and practices her Roman Catholic faith. Talk about someone that would be getting hit from all sides on bigotry and narrowmindedness. That would be the person. And such a lady would find that if she were attacked for her gender, her defenders would be there in more numbers, than her attackers. If attacked for her Hispanic heritage or Hispanic name, groups all across this country and the dominant media culture, the liberal culture that rules Hollywood, television, the soap operas, is right there to defend any attacks far more in numbers than her attackers. For an African-American, however horrible the pockets of racism are in this country that would judge a person by the color of their skin; do not worry. Everybody in this House would stand up, if not giving their heartfelt support, then lip service at least. The dominant media culture would weigh in her favor. But if that lady has her Catholic faith attacked, she twists in the wind alone because mass media in this country has decided that my beloved religion is fair game, that one can be an anti-Catholic bigot in this country and never be so designated.

As I said in my 1-minute speech at the beginning of our session today, a PBS station, which takes in a lot of Federal money despite all well-publicized pledge weeks; this PBS station in Los Angeles, whose president, Mr. William Kobin, told me he had agonized over his decision to run a bigoted half-hour film, against the Catholic Church did so despite its obviously bigoted slant. The film had the insidious title, "Stop the Church," and, as I said earlier, who would dare run such a film in America today on a public, taxpayer-financed, PBS station? By the way, this film was kiboshed; yes, censored, if you want to use that tough word, by KCET. That means Community Educational Television, and the Los Angeles station ran the film anyway. Imagine a film that says "Stop African-Americans," or "Stop Judaism," "Stop Hispanic-Americans." Nobody would tolerate something like that, but this vicious film is an attack upon Catholicism in general, Cardinal John Joseph O'Connor of New York, the archbishop of New York, in particular.

It is an attack on the Catholic Church, indeed, the very building that was my parish when I was born and where I was baptized in May 1933, a month after I was born, and where my parents were married on June 27, 1929. St. Patrick's Cathedral in New York is one landmark on this planet that I consider a dear treasure to me and my family. And to see radical activist ho-

mosexuals go in there, chain themselves to pews, mouth off obscenities, scream at the pastor of the church, the cardinal of New York, take communion in the hand or mouth and then spit it out on the ground is more than I can bear.

I will never forget December 10, 1989, 2 years ago, when this attack was made on my former parish church, this beautiful cathedral built with the dimes of Irish-American immigrants, Italian-American immigrants, and many other faithful who came to this land between the Civil War and the outbreak of World War II.

Now this morning I said that I was going to take this book that was released in March when I was out of the country called, "Media Coverage of the Catholic Church by Dominant Media." This was by Robert Lichter, Ph.D., his wife, Dr. Linda Lichter, who coauthored the study along with Daniel Amundson. This is the same Lichter of Lichter-Rothman, one of the greatest survey organizations in this country, owing to their post-survey analysis abilities.

□ 1640

I do believe that the Lichters and Mr. Rothman and their other partner are of the Jewish faith, which makes it very credible so this is not some inside job whining from members of the Catholic Church in America, but is an objective press release. I am going to put it in the RECORD, and in whatever time I have left I am going to explain just a little bit about what is here.

I am going to submit this to our recording clerks here so they can run an analysis of how much it will cost to insert it in the CONGRESSIONAL RECORD. And I will come into the well and take the political heat for whatever amount of money it takes to print this report in toto. I said this morning that I would break it down into 13 or 12 paragraphs, but that is not fair to the report. You could put this in the RECORD over a period of 12 days, but I want it all in the RECORD all at once, because it involves bigotry in America. Just as I back up any minority or majority group in this country to try and stop bigotry, I will take the heat and stand right here and tell the American people what it costs and ask unanimous consent for it to go in toto. So this will probably be inserted at the end of next week, after I have had a chance to get a cost analysis.

As to the press conference releasing this book, let me say that I will submit the press release. Anybody interested in this book or the synopsis of the press release can look at the press release in today's RECORD and the book next week.

Madam Speaker, I will now go back to my office and listen to the tribute to the gentleman from Pennsylvania the Reverend Congressman William Gray.

SEQUENCE OF SPECIAL ORDER TIME

Mr. ESPY. Madam Speaker, I ask unanimous consent that the special order for 1 hour which had been assigned to me be allowed to precede the special order time slot which had been assigned to the gentleman from Georgia [Mr. GINGRICH].

The SPEAKER pro tempore (Ms. WATERS). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

SEQUENCE OF SPECIAL ORDER TIME

Mr. DELLUMS. Madam Speaker, I ask unanimous consent that the special order assigned to the gentleman from California [Mr. DELLUMS] immediately follow the special order presently being entered into by the gentleman from Mississippi [Mr. ESPY].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

THE STATE OF BLACK AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. ESPY] is recognized for 1 hour.

Mr. ESPY. Madam Speaker, I have the special privilege of chairing the Congressional Black Caucus's 21st Annual Legislative Weekend. It is indeed a big weekend for us. We expect approximately 25,000 African-American men, women, and children to travel to Washington for a 5-day period of reflection, of discussion, and indeed of problem resolution.

Over this 5-day period, members of the Congressional Black Caucus will chair over 50 workshops focusing on all manner of issues impacting and affecting our communities across this Nation.

So we would like to take this time to soberly review the state of the Union and the state of black Americans in the United States. For the next hour and indeed for the next 2 hours we will address the issue of black men at risk, for we know that 1 out of every 5 black men below the age of 25 will run the risk of being imprisoned. We have Members here to address the status of our cities and in fact the decay which is occurring within our cities. We have Members to talk about education and its impact on black students, minority business and finance, health and welfare, and civil rights. We have the Delegate from the District of Columbia, who will indeed speak on the issue of admission of the District of Columbia as a State within the United States, and we have other Members expert in their own right, serving as chair and subcommittee chair of their committees, to speak on these issues.

I would also like to say that the chairman of the Congressional Black Caucus, the gentleman from New York [Mr. TOWNS], has been unexpectedly called away and has asked me to coordinate this special order in his stead, and I am only proud to do that.

So, Madam Speaker, we have assembled in the House Chamber to share our perspectives on the state of the Union and the state of black America, and to formally kick off this year's Annual Legislative Weekend activities on Capitol Hill.

During the next few days the Congressional Black Caucus will address the vital issues facing African-Americans and our Nation. We will honor Justice Thurgood Marshall and other outstanding African-Americans who exemplify the best of our heritage. We will meet with constituents from across the country who have taken the time and who have gone to the expense of traveling from various points across the country to come to Washington to share in the activities over this legislative weekend.

Our theme for this 21st Annual Legislative Weekend is "The African-American Challenge," which in our opinion means defying the odds and also at the same time expanding opportunities. It is a theme which reflects the central thrust of our history while making clear the challenge we face today.

Madam Speaker, throughout our history African-Americans have been defying the odds. Ours is the story of a people who have survived the dehumanization of slavery, endured the pain of segregation, and repelled the hostility of racism. It is the story of a people who have overcome tremendous adversity and yet excelled in spite of it.

When we ponder the plight of African-Americans, we must remember that our forefathers did not land at Ellis Island looking for freedom and opportunity. In fact, Madam Speaker, they arrived in bondage, denied even the right to own their own selves. So our right to be Members of Congress cannot be taken for granted, and it was not granted at birth. So indeed we cannot take it for granted, and we have an obligation to educate and to speak out on the issues affecting our constituents and in fact to raise our voices to talk about the plight of our people and things affecting our people throughout this Nation.

So because of our special history, we have a special responsibility to the African-American community, to our Nation, and to the world.

From our perspective, Madam Speaker, the state of the Union is not good. As our departing colleague, Bill Gray, said recently, for too many Americans "the American dream looks to be more of a remnant of our past than a fact of our future." The past 12 years have been great for the wealthiest of Americans. Their incomes have soared by 75

percent, but for the rest of America incomes have fallen or have remained stagnant.

For the first time millions of Americans can no longer say with confidence that their children will live better than they did. For millions of African-Americans the hope and promise spawned by the 1960's has been replaced by the hopelessness and despair of the 1980's and the national indifference of the 1990's.

It is a great irony, but while we applaud the success of the struggle for democracy in the Soviet Union, millions of Americans feel as if they have no stake in their own democracy.

So our challenge today is to articulate a way out of this tremendous difficulty. Our challenge is to make the political process relevant to the real problems facing our constituents and our Nation. We believe that if we save the Nation, we will save our constituents.

So in order to meet our challenge today, we must gain inspiration and strength from our history of defying odds while calling on the spirit which has brought us this far. It is a spirit that tells us that no matter how high the mountain, we can make it over the top, no matter how many hungry sharks infest the water, we can make it across, and no matter how dark the night, we can make it until the morning comes. With this faith, Madam Speaker, we can move mountains, we can cross rivers, we can overcome any barrier. Our challenge today is to defy the odds and to expand opportunities for all Americans. I call now upon our colleagues to share their ideas about how this will be done.

Madam Speaker, I would first yield to the dean of black women in the Congress, the gentlewoman from Illinois [Mrs. COLLINS].

□ 1650

Mrs. COLLINS of Illinois. Thank you very much.

Madam Speaker, I rise to join my colleagues in addressing the dismaying and disheartening conditions besetting the American-African community, a community that teeters on the brink of disaster.

As the President and much of Congress turns their eyes and opens their hearts to the people and events of Eastern Europe, what is now still called I suppose a U.S.S.R. and the Middle East, this attention is disturbing to many of us whose constituents do not find similar sympathy, concern, and certainly little if any executive leadership directed toward their plight.

Instead, our concerns are met with disregard and indifference, as evidenced by the callous characterization and dismissal of the civil rights bill as promoting a quota system.

When we are told that billions of our dollars are needed in foreign countries

to help divert the destabilizing effects of hunger, we wonder where the concern is for the destabilizing effects of hunger and homelessness right here in America, right here in our inner cities.

In my congressional district in Chicago, where in many communities therein unemployment is at an all time 60 to 65 percent level, the affordable housing remains unattended by the Bush administration, and, therefore, thousands of families must scurry to find shelter now, as the winds of fall stir the memories of winter.

While the administration prepares to address its request for billions in aid for the people of Eastern Europe and for the Soviet Union, surely hungry and homeless Americans deserve to be considered for assistance to avert the very destabilizing effects of bitter cold for which Chicago is known.

Do not these effects have any input at all in the administration? Why is it that they seem not to have any merit when the administration brings up its program?

We in America extoll the virtues of education and the benefits one accrues as the result of having received it. Yet, increasingly, this administration shifts funds from proven programs, such as Head Start, to fund greater expenses in penal incarceration.

Conceivably, many of those misguided youth who are undereducated and unemployed, who are swelling our prison population, conceivably would have been better off had similar millions been spent in early childhood education. Possibly, then they would be paying taxes, instead of consuming these funds.

Similarly, we watch as local school districts struggle to meet budgets and to provide teachers with an appropriate remuneration, which they don't always find the ability to do.

African-American children must wonder, when does the nightmare on my street end? When does the nightmare in my schools end, for many of those students do not have necessary paper, pencils, erasers, and chalk, from which to study and from which to become educated.

Now, we as African-Americans do not begrudge sharing our largesse of our Nation with others who are less fortunate, but we do take offense at having the very real needs of our own less fortunate Americans put at the bottom of the list of priorities.

So I ask the President to tell me, where is the justice for all in this unjust situation?

Mr. ESPY. I thank the gentlewoman for her statement.

We have a Member of Congress here, one of the members of the Congressional Black Caucus, who serves on the very important Committee of Banking, Finance and Urban Affairs, and also serves as a member of the Select Committee on Hunger, the gentleman from New York [Mr. FLAKE].

Mr. FLAKE. Thank you very much. I would like to commend the gentleman from Mississippi [Mr. ESPY] for taking the time out so we might be able to focus upon that which I consider to be one of the most neglected issues in America, and that is the condition of our urban communities.

Madam Speaker, I think that there are many who do not realize by virtue of the fact that they never come into the communities that have been impacted by the policies of this Nation over the last few years. As a Representative of New York, I clearly understand that as New York goes, so goes the rest of the Nation. As a microcosm of the very problems that are existent everywhere in this Nation, it has become very clear to me that the problems of unemployment, the problems of AIDS, the problems of pollution, the problems of lack of adequate education, the problems of lack of affordable housing, teen pregnancy, killing by gangs on our streets, are not only a New York problem, but a national problem.

Yet those who in many instances have the responsibility for making the decisions which ultimately help to solve these problems, look at the communities in which they occur and say to themselves that this does not have any impact on my life.

The reality is that the problems of urban America are not problems that are restricted by borders. There is no geographical boundary that separates urban America from suburban America. The boundary that has been created is between those who are the haves and those who are the have nots. But in reality, that boundary becomes less visionary as time goes on and the problems of urban America move into suburban America.

Therefore, the reality is that all of us must see ourselves as being participants in the process of bringing about a better change for urban America, because it is the change that will help us to become the Nation of strength that we ought to be.

I have long argued that our problem is not whether or not the Soviet Union would come and attack America. Because of the changes that have taken place over the last few years, we realize that all the more.

There is a reality, though, that our greatest crisis is not the war that is coming from without, but the war that is coming from within. As long as we neglect the concerns of the people of our Nation, as long as we continue to give them that lack of hope, that ultimately wells up in an outburst where they have no choice but to react to the conditions around them. They see no other way out but to make some expression, some vocal expression, some visible expression, that says we can no longer tolerate these living conditions.

Places like New York, where everywhere there are people that are homeless

walking the streets, Chicago, New York, Los Angeles, cities that represent the very essence of life in America by virtue of the size of their populations, when New York, Chicago, Los Angeles, and other major cities are impacted in the way they are, every city in America is impacted. Even small cities such as Bridgeport, which declared bankruptcy because its problems got too great for it to solve.

The problems are universal. We must address them. Yes, as the speaker before me has indicated, our concern is about what happens to the rest of this universe. But our concerns must first start with an understanding that we must solve some of our problems at home.

It is immoral, it is unconscionable, to think that in a nation that prides itself on its Constitution and markets its democracy to other nations of the world, presenting it as if it is a panacea, letting it be the model for other nations to try to pattern themselves after, and yet, within its own borders, it allows the kinds of decadence and decay to take place that is a part of the society of so many of the people who live within it and call themselves its citizens.

We must change our priorities. A part of that priority change must be an understanding that we have an obligation to provide housing to our people. We have an obligation to provide an adequate education to every American, regardless of race or color. We have an obligation to lift the standard of living so that our people are able to compete with others from these newly emerging democratic nations, so that they will be able to stand fast and compete with them, knowing that there is no barrier to their ultimate success.

The possibility of achievement exists within every child in America, whether they are born in an urban community or other parts of our society. The reality is we must help them to fulfill that potential and that possibility. It can only be done when we look to America as a whole, and not look at it in parts and fragments and pieces. When we look at America, not on the basis of who is represented by urban America, on the basis of our definition of their color, on the basis of definitions of their limitations, but look at them and understand that they have the possibility to participate in the process of helping to make America the great Nation that it ought to be.

If we are great in the eyes of those who are without our borders, then we must now do all for urban America, so that we can be great in the eyes of those who are within our borders.

Let us change our priorities. Let us change the standard of living for all Americans. Let us change the very face of urban America, so that it can reflect the America that we all dream of.

Mr. ESPY. Mr. Speaker, I thank the gentleman for his excellent statement.

Madam Speaker, the fact is that we have risen to some lofty leadership positions within this Congress. The next speaker holds such a position.

The gentleman from the great State of Missouri [Mr. CLAY], who chairs the full Committee on Post Office and Civil Service, who stands as one advocate for and a protector of the interests of working men and women.

□ 1700

Mr. CLAY. Madam Speaker, I first of all command and thank the gentleman from Mississippi [Mr. ESPY] for calling this special order and making it possible for us to document for this Nation the status of black America.

Madam Speaker, I rise to declare my view on the state of the Union and black America. Under recent administrations, rather than allowing blacks to take part as full partners in shaping the destiny of America, we have been shunted aside.

A combination of hard work and direct Government assistance have improved the living conditions of the average American citizen, but black people were left out. Now when we demand similar Government support we are told there is a new color-blind society that prohibits special consideration for any group—especially our group. We are expected to pull ourselves out of the depths of poverty and deprivation by hard work and self-reliance alone.

But, Madam Speaker, hard work and self-reliance have never enabled a race of people to pull themselves up by their bootstraps. Government policies are directly responsible for moving other Americans to middle-class status. The Government provided the resources that allowed them to move into adequate housing with front lawns and swimming pools and provided them with easy access to the central cities where their jobs were located by building freeways and subsidizing rapid transit.

Government played the key role. Black people were not given the opportunity to share in the great American experiment.

We were handicapped, victimized—not by accident, not by oversight, but by deliberate acts of Government policy. While the racist policies of today may not be as overt as in the past, the effect is the same. Today, the chances of enacting an effective civil rights law are slim. Today, we have a Supreme Court that gnaws away at gains made previously in job protection, human rights, and civil rights.

The state of black America will continue to be deplorable until we demand that Government become a partner with us in moving out of the malaise that now has us in its grip. We don't have to be ashamed to petition our Government for financial and economic assistance in order to right historical wrongs.

We don't have to apologize for expecting our Government to correct long-standing inequities and abolish unequal treatment based on race. White America did not get where it is without vast infusions of Government resources into their businesses and in other aspects of life. And we are not going to rebuild our inner city neighborhoods and eliminate the vast disparity in employment by resorting to nickel-and-dime self-help programs.

We need Government policy that compels insurance companies to insure our properties at reasonable and fair premiums; that makes banks loan money available to financially qualified black property owners for new construction, rehab, and remodeling. We need a Government policy that enforces laws enacted to prohibit discrimination in employment. And we must insist that affirmative action is a legitimate, in fact, the most effective means of changing endemic, pervasive, institutionalized racism.

When we accomplish these goals, we will be able to proclaim at one of our Congressional Black Caucus legislative weekends that the state of black America is strong and healthy. Until then we have much work to accomplish.

Mr. ESPY. Madam Speaker, I thank the gentleman for his excellent statement and would like to say that I associate myself with his statement.

I now yield to the distinguished gentleman from California [Mr. DIXON] who has served as former chairman of the Committee on Standards of Official Conduct and currently serves, among other things, as a member of the Committee on Appropriations and who distinguishes himself as chairman of the Subcommittee on District of Columbia.

Mr. DIXON. Madam Speaker, I thank the gentleman for yielding to me, and I want to congratulate him on what is going to be an outstanding Congressional Black Caucus Weekend.

I have had the honor of serving as chairman of that weekend, and I know that it is no task that goes undone that the chairman does not directly oversee. The gentleman from Mississippi [Mr. ESPY] has done an outstanding job, not only in coordinating this special order but the entire weekend.

America's urban centers which once symbolized hope and opportunity have become centers of poverty, drugs, violence, and despair. The indicators of urban decay are numerous and common to cities across the Nation. One of the most disturbing of these is police brutality and misconduct—hardly a new phenomenon for African-Americans.

It took the videotaped March 3 beating of Rodney G. King by officers of the Los Angeles Police Department which shocked Americans nationwide to focus national attention on this long-neglected problem. Following the King incident, an independent commission found a persistent pattern of excessive

force, racist and sexist attitudes, and inadequate training of LAPD officers.

Police brutality, however, is not confined to Los Angeles. Similar incidents of police brutality have come to light in other cities across the country, revealing the national scope of this disturbing problem. A recent lawsuit revealed that a special unit in the police department in Reynoldsburg, OH, specifically targeted African-Americans for arrest.

The New York City Civil Liberties Union has compiled affidavits testifying that bystanders who complain about police actions are arrested and run through the system by New York City police officers. The Massachusetts attorney general's office found recently that Boston police routinely conducted unconstitutional stops and searches of minority individuals including requiring youths to submit to strip searches in public. The beating of a man by police in Clarksdale, MS, this past Saturday has resulted in the firing of one officer, the suspension of five others, and the initiation of an FBI investigation into the incident. This week, Washington, DC police appeared to have used excessive force against a young Howard University student.

The intense violence in our cities has put a great strain on police officers and citizens alike. The proliferation of automatic and semiautomatic assault weapons, coupled with the growth of the urban drug trade and gang activity, have created an environment in which the lives of our police officers and citizens are constantly at risk. The inability of some officers to communicate effectively across cultural lines has heightened tension and mistrust between minority communities and police.

There is a need for improved police training in the area of race relations, as our society grows increasingly multicultural. Independent citizen review boards and a restructuring of departmental chains of command may also be in order. The police have the opportunity and the responsibility to set the tone for improved community relations. That tone must be positive and abuse of police power must cease.

Congress has moved to increase accountability among State and local law enforcement organizations and officers. I joined chairman of the House Judiciary Subcommittee on Civil and Constitutional Rights DON EDWARDS and members of the Congressional Black Caucus in "introducing the Police Accountability Act of 1991" (H.R. 2972). The bill would allow the U.S. Attorney General and injured persons to sue police departments that tolerate or encourage excessive force, create a new Federal criminal statute to hold police departments and individual officers accountable for police brutality, and require the Attorney General to collect statistical data from State and local

governments on police brutality complaints.

Madam Speaker. The problem of police brutality cannot be totally solved, however, without effectively addressing the basic problems which afflict our cities. Our Government must increase opportunities for education, housing, healthcare, job training, and employment. This must be our Nation's highest priority. Indeed, the pervasive indicators of urban decay signal nothing if not the critical need for a new domestic agenda to revitalize America's cities and towns.

Congressional Black Caucus members have been at the forefront of efforts to cultivate a more sound domestic policy agenda in the Congress. Events during the Congressional Black Caucus Foundation's 21st Annual Legislative Weekend will address crucial domestic issues, and we will develop strategies to effect meaningful change and reverse the trend of urban decay in our cities and towns. I look forward to a productive weekend.

Mr. ESPY. Mr. Speaker, I thank the gentleman for his statement and also for his compliment and certainly will echo what the gentleman said and will associate myself with his statements.

I yield to the gentlewoman from Michigan [Mrs. COLLINS], from the great city of Detroit, who fills so capably the shoes of our retired member, George Crockett.

□ 1710

Mrs. COLLINS of Michigan. Mr. Speaker, I thank you for this opportunity and thank the distinguished gentleman from the State of Mississippi [Mr. ESPY] for yielding this time to allow me to speak to the Congressional Black Caucus state of the Union on black America.

When I think of the state of the Union and black America, the Latin phrase "res ipsa loquitur" immediately comes to mind. It means "the facts speak for themselves."

The very idea, that we speak of black America as isolated from the rest of the United States of America shows how deeply rooted the inequities suffered by African-Americans living in this "land of the free and home of the brave" really are. African-American survival in America is a testament to our strength and our ability to defy all odds.

More than 100 years ago, Dickens wrote in his classic novel "Great Expectations," "**** there is nothing so finely perceived and so finely felt, as injustice." In black America, injustice is a thread woven into the cloth of everyday life. We look at employment, housing, health, and child care and there it is—injustice.

African-Americans are living in cities crumbling from the effects of economic abandonment and bureaucratic apathy.

Drugs and crime are thriving in black America—destroying our children and robbing them of the bright futures they deserve. Imprisonment and early violent death has grappled our young black males—destroying the procreators of our next generation.

The collapse of communism in Russia and the rise of new democracies gives me hope as I look forward to the collapse of racism in America and the rise of real freedom and equality for all of black America. The death of racism will allow young African-Americans to overcome obstacles and enjoy expanded opportunities.

Mr. ESPY. Mr. Speaker, I thank the gentlewoman for her statement and certainly appreciate the things she said.

Mr. Speaker, our next petitioner is also a very dynamic woman who came to the attention of the Nation before she entered into the Halls of this august body. As a member of the California Assembly, MAXINE WATERS shook things up there for good. She brings that same kind of dynamism, that same kind of activism and that same kind of intensity to the issues that affect us in the Halls of Congress. As a member of the Committee on Banking, Finance and Urban Affairs, she has a very strong voice in the areas of minority business and finance, and she certainly has shaken things up here as well.

So Mr. Speaker, I yield to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Speaker, I thank the gentleman very much for yielding. I would like to commend the chairman of the Congressional Black Caucus, the gentleman from Mississippi [Mr. ESPY], for organizing this opportunity for us to talk about the state of black America.

So today members of the Congressional Black Caucus will present the Nation with our state of black America. The message you will hear in our voices will be messages of grief, anger, and passion as we portray the catastrophe that the African-American community suffers, the poverty, the homelessness, the drugs and violence, infant mortality, plagues and afflictions, the need for jobs, education, and hope. Our listeners may or may not be moved by what we say here today. However, no one disputes the reality; but no one believes anything will be done.

The political gridlock makes Los Angeles freeways look fluid. There is no money. There is no hope. Conservatives invent new ways to push around the poor without a prayer of providing an answer to their needs.

What are we saying here today? It is beginning to sound familiar. Yes, Mr. Bush, there is no domestic agenda. America is indeed deteriorating.

It is not simply black America that is in trouble. Working class whites will be hit just as hard as blacks by Presi-

dent Bush's unwillingness to extend unemployment benefits. Poor whites are in desperate need of health services and educational opportunities also.

America is in trouble. However, we must not simply bemoan the tragic state of affairs in our country. We must seize the opportunity to turn our attention to America's needs.

Charity begins at home and spreads abroad. The cold war is over. We really should be celebrating. The Soviet Union has surrendered. The great sacrifices we have made over the past 40 years are at an end. Our soldiers, our resources, our new world awaits us.

We spend over half of our military budget, about \$150 billion a year, as a subsidy to our European allies to defend them against the threat of a surprise Soviet attack. Some of us thought that was an exorbitant subsidy to rich allies who really could defend themselves. Some of us thought we were not spending enough. It no longer matters. The Russians are not coming. The Communist threat has vanished. The so-called Evil Empire really does not exist and there is no threat. The mission no longer makes sense. We have no choice but to plan for conversion to a new world.

Americans will not allow their tax dollars to be squandered on a defense budget it does not need. Nor will Americans allow their tax dollars to be used to support housing, education, and business opportunities for the Soviet Union while our communities continue to suffer.

We really should be celebrating. We really should celebrate today. But we must celebrate and act. Across the world democratic movements are bringing down walls and opening up hopes. This country cannot remain frozen in a world of change. We must bring down the foolish budgetary walls that prohibit transfer of resources from military to civilian spending passed in folly as the cold war was coming to an end.

We must act to use the blessed opportunity we have been given to rebuild our opportunities here. Our opportunity here is clear. There has never been a better chance for dramatic change in 45 years.

My friends, it is no longer time to mourn. It is time to move. The Congressional Black Caucus can offer the leadership to this Congress and to this Nation. We are pained indeed, but we are not hopeless. We understand that we have power, and it is time for us to use that power. It is time for us to say to President Bush, to the leadership, to the world, we will not continue to allow this madness with the budget to continue. We must get in the forefront of undoing the Budget Reconciliation Act of 1990. We must say it is time to use those dollars from the defense budget to invest in our communities, to invest in America.

We can do that.

□ 1720

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DELLUMS). The Chair would remind all persons in the gallery that they are guests of the House, and that any manifestation of approval or disapproval of the proceedings of the House are in direct violation of the rules of the House.

Mr. ESPY. I thank the Speaker.

I would just say that all of us gathered on the floor certainly realize what is in the hearts of all those listening and looking on.

We thank the gentlewoman from California for her very powerful statement and turn now to another distinguished woman within the Halls of Congress, who represents this great District of Columbia, the gentlewoman from the District of Columbia [Ms. NORTON], who in a very short time has rendered distinguished service inside of this body and who, along with the new Mayor of the District of Columbia, has brought greater attention to the problems of the District, and, in fact, has gotten a little bit more money, a few more dollars. Mr. Speaker, we think that these are just mere coins compared to what they ought to be receiving.

It is unfortunate, when we think that within the Capital City of the greatest democracy within the world, this Capital City, this Congress is contained within the city which still has not given the District full democratic rights.

Therefore, the next speaker has no vote, but that is something. Mr. Speaker, that we seek to change, so we call upon now the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. I thank the gentleman for yielding.

Mr. Speaker, I use this opportunity, as well, to thank the gentleman for his extraordinary leadership this entire week, including this opportunity for this special order.

Madam Speaker, on the 21st anniversary of the Congressional Black Caucus, I begin by bidding the fondest of farewells and the most elaborate of thank-yous to the Reverend Mr. William Gray for his extraordinary contributions to America, to African-Americans and to 600,000 Washingtonians. Just this morning, Madam Speaker, we had a standing-room-only crowd at a forum on democracy. It was entitled "D.C. Statehood: What It Means to Black America." Washingtonians were joined by other Americans to both gain information and to bear witness. Together their presence told the assembled panel of D.C. elected officials that American democracy was incomplete, that the emperor did not have all of his clothes, and that we were all there to help him gather some.

Our country certainly has been spreading the textile of democracy

around the world from the Soviet Union to southern Africa. A virtual tapestry of democracy has been woven from one shore to another as we have demanded from other countries that they give their citizens full democratic rights, never mind the hardships or traditions of current governments.

Well, America, there is an embarrassing hole in the American garment, and the tear begins right at this very spot: 600,000 people, most of them persons of color, have no voting representation in either the House or the Senate. It is a loose thread in the American tapestry. You must help us with the repair.

We pay more taxes per capita than 49 States. We were fifth per capita in troops in the Persian Gulf. We sent \$2 billion to the Federal Treasury last year.

Madam Speaker, democratic rights do not have to be earned in a democracy; nevertheless, we have done the heavy lifting. Please help us to lift this burden. Help us in the District of Columbia to become the 51st State.

Mr. ESPY. I thank the gentlewoman for her statement.

Madam Speaker, I now yield to my good friend and colleague from a neighboring State, the gentleman from Tennessee [Mr. FORD], who has served in Congress with distinction and who serves on, some feel, the most important committee in this Congress, the Committee on Ways and Means.

Mr. FORD of Tennessee. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I really appreciate this time to address the House on the state of the Union, on the crises of health and welfare in black America.

As you well know, my colleague, the gentleman from Ohio [Mr. STOKES], will really address the health care state of the Union of black America.

The preamble to the Constitution of the United States of America states that the Federal Government will provide for the common defense, promote the general welfare, and secure the blessings of liberty for our posterity.

President Bush has kept one part of the bargain by providing our Nation with a strong defense. But what has happened to the general welfare? What has happened to our poor, our weak, our needy?

An overhaul of the welfare system is long overdue. The current welfare system fails to address many of the recognized causes of poverty, inadequate health care, unemployment, day care, as well as teenage pregnancy.

We know that this Congress, both Houses of Congress, passed a welfare reform package some 2½ years ago and which was signed into law. We made significant gains in that package itself.

We know that in 19 States, fathers were put out of the household if the children were to receive welfare benefits. We know that welfare mothers had

no child care benefits available, and we were able to come in this Congress, not this session of Congress, but some 2 or 3 years ago, to pass that legislation.

The most pressing of these problems facing African-Americans today is the lack of adequate health care. Americans are living in an age of high-technology medicine; doctors are performing multiple organ transplants, and women over 40 are giving birth to healthy babies. Yet thousands of Americans, most of them African-Americans, are dying needlessly of diseases that our medical establishment learned to prevent or cure decades ago. As we approach the year 2000, the health of African-Americans is reminiscent of the 1940's, hospitals were segregated and flu shots a thing of the future.

The number of deaths from preventable illnesses is at an all time high. The lack of progress in providing African-Americans affordable health care is one of our Nation's most pressing problems and one of the greatest challenges facing us as policymakers in this Congress.

We challenge the administration to send forth to this Congress adequate health care legislation that will respond to the needy and African-Americans in this country.

Poverty, inadequate health care access, and inferior treatment combine to discourage many blacks from seeking any type of health care until it is too late. But the root of the problem lies in the lack of money for basic health care and other welfare programs.

The Government needs to put more of an effort into bridging the gap between the level of health care provided to African-Americans and those non-African-Americans. The answers appear to lie in improving domestic programs in our welfare system.

Oftentimes, people talk about welfare and people who do not want to work and people being lazy. That is not true. Even this recession that we are in and confronted with today tells us that because of the recession the welfare rolls will continue to grow, and until we address many of the domestic problems, we will continue to see them grow.

Rather than taking responsibility for helping the poor, our society far too often blames its victims for their impoverished condition. The attitude is embodied by the rationalization that the poor do not deserve compassion and do not need relief. But it is clear that poverty is not a chosen condition by a group of people in our society.

The current welfare system fails to address many issues, but it fails to address the issue of providing adequate domestic programs which is one of those affecting those who we know in African-American communities more so than in other communities, and unless we work together as African-Americans and policymakers to start mak-

ing health care a national priority, we will continue to provide things that we do not need, death and illnesses among our people in America.

It is time that we realize and recognize that we must make welfare reform our greatest legislative priority to respond to the downtrodden of this Nation, because as we look back and reflect, regardless of what color you might be, when that unemployment strikes you or members of your family, we must realize that we are only two or three paychecks away from the welfare rolls.

Mr. ESPY. Madam Speaker, I thank the gentleman from the great State of Tennessee for his statement, for his eloquence, for his passion, and for his intensity.

Let us just suggest within the RECORD that it is OK to want to lift others up by their bootstraps and prod them to do it themselves, but there are so many, Madam Speaker, who have no boots at all, who have no shoes.

Madam Speaker, we turn now to the dean of the House, the dean of the Congressional Black Caucus within the House, one who distinguished himself not only by terms of service but who has distinguished himself without a doubt in leadership. Whenever anyone across the country needs an expert in civil rights, an expert to advocate in the interests of minority rights, individual rights, an expert in government waste, whether it is fraud and abuse, one only has to look to Congressman JOHN CONYERS from the great State of Michigan, who serves as chairman of a full committee here, chairman of the House Committee on Government Operations, and chairman of a Judiciary subcommittee; we turn now to our dean, the gentleman from Michigan [Mr. CONYERS].

□ 1730

Mr. CONYERS. Madam Speaker, I thank the gentleman from Mississippi for yielding to me.

Madam Speaker, it has become commonplace today to say that the state of America for African-Americans is deplorable. One need not even be cerebral about it with statistical references. Simply look around the streets of this Capital City to see the joblessness, lack of housing, drugs, incarceration rates as high as South Africa, and lack of hope.

As a matter of fact, you can look around any city in America and see the same thing.

Throughout the world today we are witnessing historic struggles to enhance and protect the human spirit and the notion of freedom and equality. There is a revolution of hope, of the notion of what is possible. But not here at home. Here at home we get excuses—excuses not to enact civil rights and jobs legislation. We are patronizingly told to excuse and support the

appointment of a superconservative Supreme Court nominee simply because he is an African-American.

In 1988, we had the ugly exploitation of racial division in the Presidential election campaign with Willie Horton. In 1990 and 1991 we have it with "Willie Quota," the phony claim that restoring 25 years of civil rights with a protective floor will create quotas. You cannot say "no blacks allowed" but if you come up with a standardized test or some other supposedly neutral ruse that achieves the same result, then racism can prevail.

I say to you the White House is out of touch with our national community.

We cannot forget where we have been or where we must go. Washington, DC, our capital, has not always led the change. It responded because Rosa Parks was tired of the injustice. It responded because Martin Luther King became a civil rights leader and a legislator as well. It took action in the streets before Brown versus Board of Education was really implemented.

This moment in history allows for new dreams. For the first time in modern history we can begin to imagine—perhaps to create a new world order. War can potentially be seen as obsolete. The enormous sums of national wealth and talent devoted to the arms race can be redirected to our cities and small towns, to hazardous waste sites and deteriorating rainforests, to educate, housing, and health care.

We need a new set of budget priorities which this Congressional Black Caucus has regularly presented in its alternative budget.

Over the past 8 years the wealthy have seen their tax rates drop from 70 percent to 28 percent. Military spending, however, has increased by 40 percent after inflation. Domestic programs have been cut by 19 percent. Stagnant wages, budget cuts, environmental degradation, no health care for one-seventh of our population, and the devastation of drugs in our cities is taking its toll. The racial gulf is as wide as it has been in 25 years. We need a civil rights bill and a Supreme Court justice that will advance, not turn back, real, not abstract, equal opportunity.

So the Congressional Black Caucus in its 21st year faces these challenges with a confidence and a determination that we shall overcome.

Mr. ESPY. Madam Speaker, I thank the gentleman from Michigan.

Now we turn to the dean of the Ohio delegation, Congressman LOU STOKES, who serves as the chairman of another very important committee on this body, the Ethics Committee, but who for many areas serves on a committee even more important, and that is the money doling committee, the all-important Appropriations Committee.

I yield to the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Madam Speaker, it is a pleasure to join my colleagues of the Congressional Black Caucus [CBC] for this special order in recognition of the 21st Annual CBCF Legislative Weekend. I want to commend the chairman of the caucus, EDOLPHUS TOWNS, and the chairman of the CBC Foundation, ALAN WHEAT, for their leadership in organizing this year's program. I want to acknowledge the work of my colleague, MIKE ESPY, who as Chair of the dinner has put together a superb program.

It is also important that we recognize the thousands of individuals who take time each year to travel to Washington and take part in our legislative weekend. I particularly want to acknowledge the participation of members of the Congressional Black Caucus health braintrust, the braintrust for which I serve as chairman on behalf of the CBC. The individuals who comprise the health braintrust—prominent and expert medical practitioners, health educators, health administrators, students and consumers—have been the driving force behind much of what we as a caucus have been able to accomplish in health. With their input and support, the CBC has been able to ensure that health policy has focused on ensuring quality and affordable health care for minorities and the medically indigent.

In fact, Madam Speaker, the health braintrust has always been in the forefront—defying odds and expanding opportunities to improve the health status of African-Americans.

The health braintrust program this year continues our mission of improved health for minorities. Our success in accomplishing this goal is a primary determinant of the future and the quality of life for African-Americans.

Madam Speaker, the health of African-Americans is in crisis. The magnitude and seriousness of this crisis have been documented and reported substantially in recent years. From these reports, we find that blacks and other minorities suffer an estimated 60,000 excess deaths annually. This, in a Nation where Federal health dollars are second only to the military budget; where—despite tremendous advances in medicine in the United States and the significant improvements in our Nation's health status—millions of African-Americans do not benefit fully or equitably from these advances. Thus, we have a situation where the status of health in minority communities is that of a third world nation.

There is a large segment of our community that has been abandoned to suffer high infant mortality rates, shortened life expectancy, a crushing burden of illness, debilitating poverty, disability and disillusionment, frustration and loss of hope. In recent years, these problems have been exacerbated by an unprecedented increase in violence, substance abuse, infectious dis-

eases such as AIDS, and greater numbers of uninsured persons.

In this regard, the CBC health braintrust focuses its attention this year on two issues confronting our community: violence and health care reform.

Madam Speaker, as you may know, Americans are dying from unnecessary violent death in unprecedented numbers. Daily, one hears accounts of drive-by shootings, tragedies in our schools, domestic violence, and other atrocities destroying lives. This grave situation is even more prevalent in African-American communities.

For young African-American men, in particular, death by homicide is a unique and cruel phenomenon. The Centers for Disease Control [CDC] reports that nationally 1 of every 1,000 young African-American males is murdered each year. No other ethnic group in the U.S. population even approaches this rate.

Homicide was the 10th leading cause of death in the United States last year, and is the leading cause of death among black men aged 15 to 44. For men aged 25 to 34, the black homicide rate is seven times that of whites. To put it another way, black males have a lifetime chance of 1 in 21 of dying by homicide, compared to 1 in 131 for white males. This disparity is also reflected among black women who have a lifetime risk of violent death of 1 in 104 compared to 1 in 369 for white women.

As a result of this phenomenon, violent death has become a public health problem. In conjunction with the Office of Minority Health and the Centers for Disease Control, the health braintrust has assembled a panel of national experts who will examine the many complex elements of violence. It is our hope that from these discussions will evolve some strategies to eradicate this serious problem.

Madam Speaker, the afternoon session of the health braintrust centers on the pressing issue of health care reform. This issue, as you know, is one of the most important policy challenges confronting Congress. My CBC colleague, JOHN CONYERS, joins me in hosting this hearing. As chairman of the Committee on Government Operations, Congressman CONYERS has scrutinized our Nation's health care system, comparing it to the Canadian system, considering the consequences for both health care spending and access in the United States. Because of his work in this area, I am pleased that he is joining the health braintrust in this year's deliberations.

Because African-Americans and other minorities represent a disproportionate number of the uninsured in this Nation, it is crucial that we address these particular needs as part of the health care reform debate. As you may know, blacks and Hispanics have accounted for 55 percent of the increase in the

number of Americans added to the rolls of the uninsured between 1977 and 1987. They are also disproportionately represented in the kinds of families at the greatest risk of being uninsured—families where no one is working and families that are poor.

These startling statistics, coupled with the health status disparity between black and white Americans, demand immediate focus on health care reform for minorities. Prominent national African-American organizations will present their views on major health care reform proposals and make recommendations on strategies that address minority health care. This discussion will help in the development of a health care reform proposal focusing specifically on minority health.

Madam Speaker, while the health braintrust devotes this time to these pressing health issues, much remains to be done to improve the health of African-Americans. National attention has centered too much around the issues of costs containment and the growing budget deficit, instead of caring about extending adequate health care to all individuals as opposed to the privileged among us and alleviating the enormous burdens.

Our Nation must come to grips with the fact that a strong and productive society will not be realized and maintained if we do not ensure a healthy future for minority Americans.

Madam Speaker, I am proud of the position the Congressional Black Caucus has taken throughout the years advocating quality and affordable health care for all Americans. We are firmly committed to ensuring this right for all citizens and look forward to the health braintrust discussions guiding our deliberations in this respect.

Again, I welcome our guests to the 21st Annual CBCF Legislative Weekend and commend my colleagues for their leadership during this occasion.

□ 1740

In closing, Madam Speaker, let me just thank the members of the Congressional Black Caucus for the opportunity, the pleasure, and honor I have had over the last 23 years of associating with them in this great endeavor on behalf of African-Americans throughout our country. It is indeed an honor to be a member of the Congressional Black Caucus.

Mr. TOWNS. Mr. Speaker, I rise to close this critical assessment of the state of the Union and black America.

We stand, today, at the helm of the world's greatest democratic vessel. And yet, on our watch and despite the valiant battles waged by Members here assembled, we have witnessed the selective enrichment of the few and the deteriorating quality of life of the many. For those in the Congress, our friends and colleagues here today, and those whose interests we seek to protect both in this Nation and around the world—we have painted for

you a graphic picture. The Ship of State is awash by a tide of ill will that has divided our people—rich from poor, black from white, hopeful from hopeless. The thousand points of light have not illumined the dark corners which hide and blot out the ambitions and aspirations of the children of the ghettos and barrios of our Nation—they do not lift up those who lie down on the grates of city streets in the shadow of the White House and Wall Street.

Something must be done. Recent public policies and private actions have resulted in a massive increase in those with no health care, an American education system in crumbles, the erosion of American industry in the world arena, and the virtual devastation of the Nation's moral fiber. Racist and other socially destructive behavior, once denounced, have had their licenses renewed.

The fact remains, how we will be viewed in the future depends principally on how we deal with these problems today. As defense and war expenditures have exploded, basic domestic programs important to all our citizens have come under increasing attack. The American people are told that the budget deficit is so great that we can no longer afford to take care of our own.

What then has America become? Is it the machines of war, the factories, the fields and forests? No, America is fundamentally its people. And if we do not take care of the people, all of the people, this country will fail. If we can not afford to take care of each other, we can afford nothing at all. It is that simple.

If we do not assure the health of our work force, its work will be substandard. If we do not educate our people to the emergent world industrial standard, they will not be employable, and industry can not expand. If we do not invest in the economic survival of those who are temporarily or permanently unemployed so that their children can compete, we will have to support them, or worse, leave them by the wayside to perish. And if we do not take care of our senior citizens, who have sustained and nurtured us in our youth, we will have grievously insulted a rich legacy that is both American and African-American.

There may be a large budget deficit, but the moral and social deficits evident in our collective condition are far more threatening to the future of this country. Look around us: Our resources are abundant, our productive capacity enormous. Surely we can find a way in all this to take care of each other.

Mr. Speaker, since its founding more than 20 years ago, the Congressional Black Caucus and our coalition within the House and Senate have demanded the highest level of public service, equality of opportunity, and the maintenance of an economic democracy for national survival. We ask now that we step beyond partisan boundaries to open new doors for the dispossessed and rekindle the bright flame of competitiveness and pride in the work ethic. We ask of our colleagues and those within the sound of our voices to pledge, this day, to bring about a new state of the Union. That we who are a part of each branch of Government—the executive, the legislative, and the judicial—reset the cornerstone of a democracy that is indisputably—of the people, by the people, and for the people.

STATE OF THE UNION AND BLACK AMERICA

The SPEAKER pro tempore (Ms. WALTERS). Under a previous order of the House, the gentleman from California [Mr. DELLUMS] is recognized for 60 minutes.

Mr. DELLUMS. Madam Speaker, I yield to my distinguished colleague, the gentleman from Illinois [Mr. HAYES].

Mr. HAYES of Illinois. Madam Speaker, I am pleased to join today with my colleagues of the Congressional Black Caucus for this special order to discuss the state of the Union and black America.

I am here today because America is in grave danger, not just black America, but this entire Nation. The distinction, of course, is that when America is in danger, black and other minorities suffer in much greater numbers. As the only former international vice president of a labor union serving in the Congress, I have some particular concerns about the economy and the labor trends in this country. Blacks are truly suffering because of the policies of the Reagan-Bush era.

The trends suggest disturbing realities for many of America's children and families. The number of children in poverty continues to grow, with children having become the poorest age group of all Americans. Increasingly, full-time employment—even of both parents—is not enough to keep families and their children out of poverty. Not only does this administration ignore the domestic needs of this country, it makes it nearly impossible for working Americans to lift themselves out of poverty.

The current rising unemployment level leaves only about 56 percent of all working age African Americans employed. African-American workers still experience 2.4 times the unemployment of their white counterparts. It is even more outrageous for our younger African Americans who are greatly suffering. The facts are obviously directly related to the economic and social policies of the current Bush administration. Fiscal policies affect economic growth and stability; they determine how readily workers can find jobs.

Obviously this country can find dollars to help so-called emerging democracies because a deliberate choice is made—the priority is determined. This Nation—black people—are suffering, and I would contend that the southside of Chicago, Harlem, Detroit, the Mississippi Delta, and many other centers, are emerging democracies and need assistance for a new world order right here at home. The old adage that charity begins at home and then spreads abroad is clearly appropriate, but I would add that democracy, too, begins at home.

I have said it before, and will say it again. We may have to again take to

the streets to gain the attention of this administration. People are jobless, homeless, hungry and, yes, dying and this administration's response is that "the recession will be over soon." The Government is to be accountable to the people, but often the people have to demand such compliance. Black people—yes, all people—need a national jobs program now.

Mr. DELLUMS. I thank the gentleman from Illinois for his contribution to these proceedings.

Madam Speaker, at this time I yield to the distinguished gentleman from New York [Mr. OWENS].

Mr. OWENS of New York. I thank the gentleman from California for yielding to me.

Madam Speaker, I want to thank also the gentleman from Mississippi [Mr. ESPY], chairman of this year's Congressional Black Caucus dinner, and to say how very much I appreciate the innovative and very practical addition of this special order on the state of the Union and black America.

Madam Speaker, I want to talk about education, and I would like to begin by holding up a copy of a little red book. The little red book used to be associated with Mao Tse Tung in China. Now the red little book being circulated all over America is a copy of "America 2000: An Education Strategy of the Bush Administration."

This is one of the most dangerous documents in America. It is dangerous for all Americans who want to have the education system transformed. But it is particularly dangerous for African-Americans. This book totally leaves out African-Americans. It treats them with benign neglect, hostile neglect, total abandonment. The reason the Federal Government got involved in education at the elementary and secondary levels originally was to promote equality of educational opportunity, to focus on the disadvantaged, the poor. This is a representation of a total retreat of the Federal Government from that mission.

They have proposed to transform our schools without spending any money. It is a very misguided notion, a dangerous notion.

They are quite satisfied to have two systems in America, two school systems; one they are going to try to make world-class system, suburban schools in the richer districts; the other they are going to abandon completely. They are not going to treat at all the problems faced by the schools attended by the majority of African-American children.

In our big cities, Chicago, New York, Detroit, Los Angeles, the schools have been faced recently with devastating budget cuts, retrogression and complete deterioration has set in at a more rapid rate as a result of budget cuts which have wiped out gains that were being made slowly over the last few years.

Reading scores were going up, the dropout rate was going down; we had after-school centers in New York, a number of things that were positive; the ratio of pupils to teachers was going down. All of that has been wiped out by the recent set of budget cuts. Now in most of the big cities where our children attend school, they are proposing additional budget cuts. Only the Federal Government has the resources to come to the aid of the cities. Yet, none of that is being proposed.

America 2000 totally ignores the problem. That is the Republican strategy, this is a public-relations, Madison Avenue package that is gaining a large amount of acceptance across America. One of the reasons it is gaining wide acceptance is because it is the only ballgame in town. The Democratic Party has no strategy at all. Nothing is being offered by the Democratic Party. The Democratic Party continues to offer bright ideas from various leaders; we have a number of good bills being introduced relating to education, but the party has not put together a strategy; the party does not understand the modern needs, the salesmanship involved in the issues and therefore the Republicans have the field all to themselves.

America 2000 does not propose to help our children. We must propose and we must fight for our own strategy.

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We must propose it, and, in order to do that at this 21st legislative week-end, the Congressional Black Caucus education brain trust has launched a group called the National Citizens Commission on African American Education. Over the past few years we have been frustrated by discussions that are held here once a year on the weekend, and then there is no followup. We have asked for the creation of a Citizens Commission on African American Education, and we have launched it. We have a chairman, Dr. Wilbert Lemelle, who is the president of the Phelps Stokes Fund who would be the chairman of this commission. Some very bright and dedicated scholars from all over America are part of it. Parents, students, a great cross-section. It is going to be a committee of 100 with an executive committee of no less than 25 people and they will launch the commission tomorrow at 12:30 with a press conference to issue the first communique and the first guidance.

We are going to issue communiques which address the decisionmaking official world of government. We want to have an impact on Government policies. We are not going to try to do it all ourselves. We insist that our Government spend the money that is necessary, that our Government takes the steps that are necessary. We also will issue guidances to the African-American community directing the African-

American community on how to mobilize best to deal with the problem internally on problems of marshaling resources, and we insist that we make education a priority. This is an organization that will force us to keep education as a priority. Everybody subscribes to that notion that education is the kingpin issue. It is the means toward which we achieve most of the ends, but sometimes other things get in the way.

For African-American children we need world-class schools before we subject them to a national testing program, as proposed by the Bush administration where world-class standards will be used, and they will be forced to meet those world-class standards although they have not gone to schools with proper teachers, laboratories, and other facilities. There are savaging inequalities that exist in our system, and these savage inequalities must be addressed by any honest effort to reform and improve the schools of America.

In New York State one school district spends more than \$13,000 per pupil while New York City spends \$5,000 per pupil, and even within the New York City area each school is not spending \$5,000 per pupil. Some schools, most of those in the African-American communities, are spending \$3,000 or less per pupil.

We cannot wait until the year 2000 to take meaningful action for our children. More budget cuts in the State and school district budgets means continuing deterioration and retrogression. We must act now to save African-American children.

What I say about New York is true of Detroit, Los Angeles, Chicago, and right across. We must have immediate appropriation, immediate appropriation of no less than \$1 billion. That is one-third the cost of one aircraft carrier. This \$1 billion should go to a hundred poor school districts for emergency items like books, laboratories, et cetera.

We should go further than that, appropriate \$230 million, which is the amount of money the Bush administration proposes just to launch choice, to deal with choice schools across America. They propose \$230 million. We insisted they match that \$230 million for a fund which would bring relief to America's poorest schools by establishing an institute for the education of at-risk students, a district education agent program to provide technical assistance to our schools and funds for experimental schools in our district, and, beyond that, when the budget agreement, that awful budget agreement we are now bound by, is up, we insist that there be permanent, nationwide relief appropriated: No less than \$3 billion, the cost of one aircraft carrier, for a Federal education revenue-sharing program, a revenue-sharing program to bring relief to the systems

that are now instituted in those devastating budget cuts.

At this point I enter three documents into the RECORD. One is National Citizens Commission on African American Education, Vision and Purpose Statement. I also would like to enter into the RECORD in its entirety the first national public policy education communique of the National Citizens Commission on African American education entitled "Emergency Action to Prevent Retrogression and Collapse." I would also like to enter the first National Citizens Commission on African American Education guidance to the African-American community. It is entitled "Emergency Mobilization for Education: the Basic Steps Which must be Taken by African American Communities."

NATIONAL CITIZENS COMMISSION ON AFRICAN-AMERICAN EDUCATION—VISION AND PURPOSE STATEMENT

Education is the major means by which all worthwhile ends in our complex, modern society are realized. Education is the kingpin issue, the first domino which impacts on all of the others. As it is for all other groups, education is critical for the survival of the African-American community. There is an urgent need for the establishment of a body which focuses continually and permanently on the national issues and policies related to education. This is a matter which is too important to be treated as one of several priorities. To speak for the African-American community a voice, an instrument, an organization is needed which commands respect and enjoys unchallenged credibility. The *National Citizens Commission On African-American Education* will assume this vital obligation.

Representing professional educators, teachers, parents, students, civil rights leaders, church leaders, civic and fraternal leaders, school board members, business persons and other segments of the African-American community, the Commission will be a Committee of 100 persons who have made an impact on education beyond their local communities; and persons who possess the knowledge and experience necessary to make critical judgments concerning existing national education policies or the knowledge and experience necessary to propose creative alternatives. The Commission seeks to accomplish two basic objectives:

To provide a critical review of existing national education policies; and to offer alternative national education policies and strategies for the benefit of African-American children and communities.

To provide national guidance to the African-American community for educational policies, strategies, programs and practical activities; to stimulate mobilizations for education in African-American communities all over America.

What is good for African-American children and students is good for all American children and students. The first concern of the Commission is a national education policy which used the abundant and unique resources of America to support a system which maximizes, nurtures children, and maximizes effective instruction, and training, and educational opportunities for all American youth. The Commission will speak from the perspective of the experts, practitioners and participants who are striving to

overcome the greatest battery of social, economic and political obstacles to learning and educational improvement. "What works" for the children and students whose problems we are most familiar with will work for all children and students.

While we recognize that education is traditionally primarily a local matter, we also fully realize that there are some vital educational tasks which the government of the United States must undertake. National federal participation in the decision-making and operations of our educational institutions may be quantitatively less than that of state and local government, but it is no less important. Indeed, this Commission maintains that only the continuous and vigorous involvement of the federal government can transform our schools and achieve the capability necessary to educate our children.

In addition to serving as a critical review agent for national policy, this Commission will conduct an exhaustive and caustic review of the support systems for education within African-American organizations and communities throughout the nation. By now it should be crystal clear to all that African-Americans will not survive in this global, modern, competitive society without maximizing the education effort for African-American children and students. Parents and families who fail to treat education as an item which is just as important as food, clothing and shelter must be deemed guilty of child neglect.

Every African-American community must be transformed into a "Learning Community" saturated with activities which encourage and support the education of adults and workers as well as children. Where necessary, the Commission insists that African-Americans take responsibility for changes in organizational habits, group mores, family and individual life-styles and changes in other conventional behavior in order to raise the level of awareness and increase the intensity of commitment to educational improvements and the enhancement of opportunities for youth within the African-American communities.

EMERGENCY ACTION TO PREVENT RETROGRESSION AND COLLAPSE

While the Commission applauds the presentation of a White House initiated comprehensive strategy for the improvement of education in America, we must hasten to expose the fact that *America 2000* fails to include a critically important chapter. Missing from this cleverly arranged scenario is a section entitled: *For Today's Students: Emergency Action To Prevent Retrogression and Collapse*.

Even before the economic decline and recession began to escalate, the budgets for public school systems serving the majority of the children of America were in a state of desperate stagnation or ruinous reduction. Deep state and local budget cuts have now further mutilated these local education agencies to the point where basic operations can not be maintained. The original beneficiaries of federal aid to elementary and secondary education—the poor, disadvantaged and students with disabilities—are served primarily by these inadequately financed systems.

The refusal of *America 2000* to advocate immediate relief for these schools struggling under the threat of disintegration represents an abandonment of the original and traditional mission of federal assistance. We deplore this failure of *America 2000* to confront this clear and present danger. Schools and students cannot be expected to meet "world

class standards" when their resources are being reduced to the primitive level of underdeveloped countries.

The Commission equally deplores the fact that there is no alternative to *America 2000* being offered by a congress controlled by Democrats. While we applaud individual pieces of legislation such as the *Urban Schools of America Act* and the *Institute for the Education of the At-Risk Act*, we wish to note that these specific components are poor substitutes for a well enunciated overall strategy. This balkanization or fragmentation of congressional legislation diminishes the possibility of success for these very worthwhile proposals.

There is a lack of options which must be corrected, a vacuum which must be filled. To address this unfortunate situation, the Commission is issuing a special appeal to the Democratic leadership of the Congress to prepare a comprehensive plan which includes proposals for emergency action. We shall also request that the Congressional Black Caucus prepare A Master-Plan for the Improvement of Education in America as an alternative to *America 2000*.

Until the component which we choose to label: *For Today's Students: Emergency Action to Prevent Retrogression And Collapse* is fully articulated, all comprehensive strategies proposed for educational improvement are at-risk of becoming cynical public relations gimmicks. If federal accountability is to be delayed until the year 2000, then the plan being discussed is irrelevant for the majority of our nation's students. While some of the best schools will be stimulated to become better as a result of adopting some of the actions proposed in *America 2000*, the majority of our nation's schools are presently not equipped to begin to participate.

Before "world class standards" and tests to measure compliance with such standards are imposed the federal government must take steps to guarantee that every American student is attending a "world class school". At present most African-American Students are attending schools that are relatively primitive. Before any testing of African-American students commences, in order to enable sub-standard schools to move closer to comparability, the Commission demands that the following emergency actions be taken by the federal, state and local governments:

To slow the rapid hemorrhaging of the education effort in the poorest school districts, the federal government must appropriate, in this fiscal year 1992, one billion dollars (the cost of one nuclear submarine) to be distributed to the one hundred poorest Local Education Agencies (the agencies with the greatest number of students entitled to free school lunches). This allocation should be used only for non-recurring expenditures such as science laboratory equipment, other equipment for classroom instruction (typewriters, computers, etc.), books, instructional films and videos, emergency repair of facilities which are primarily used by pupils or parents.

To support a continuous long-term program for the revamping of schools in the one hundred poorest congressional districts, the federal government should allocate no less than 230 million dollars annually beginning in fiscal year 1993. These funds would be utilized to support an Institute for the Education of At-Risk Students; to fund a District Education Agent Program which establishes a federal resource and technical assistance entity in each of the one hundred poorest districts; and to fund the launching of experimental new American schools in each of the one hundred poorest districts.

To provide permanent nation-wide relief no less than three billion dollars (the cost of one nuclear air-craft carrier) should be appropriated annually for a federal education revenue-sharing program. Such funds should be distributed on a per pupil basis with all Local Education Agencies eligible except those which do not have an enrollment with at least ten per cent of the pupils eligible for the federal free lunch program.

Federal legislation must prohibit the allocation of federal funds to any state which fails to distribute its state education assistance funds on an equal per capita or per pupil basis to all of the state's Local Education Agencies. The use of trick formulas which calculate aid on the basis of attendance instead of enrollment—and thus discriminate against the school districts with the poorest families—must be discontinued.

Federal legislation must prohibit the allocation of federal funds to Local Education Agencies which fail to distribute their basic operating funds on an equal per pupil per school basis thus assuring that all schools under the LEA's jurisdiction have comparable qualified personnel, facilities, equipment and other resources regardless of the race or income level of the student body.

State and local legislators as well as chief executives must mandate that Local Education Agencies maintain an effort at the level of tax support which existed as of December 1990, prohibit any state or local percentage reduction for education which are greater than those for the overall budget; establish a uniform floor for per pupil expenditures in order to provide an "adequate" or "minimum" education effort and mandate that expenditures be maintained at this floor level or above.

These are minimum emergency actions which must be taken to prevent retrogression and collapse in the public schools serving African-American and other at-risk children. Today's schools and students deserve a level of government support which guarantees the basics in terms of qualified teachers, safe and pleasant physical facilities, adequate books, equipment and supplies. The Commission looks forward to participation in the establishment of "world class schools"; however, failure to take immediate action would mean a loss of education opportunity for another generation. Further delay would also mean that the process of creating "world class schools" in African-American Communities would have to start from a set of skeletons and ruins.

To "promote the general welfare" is one of the most important constitutional obligations of the federal government. In modern societies the "general welfare" is greatly endangered when the populace is not adequately educated. Funds must be found to provide adequate educational opportunities for all. If necessary take education expenditures "off budget" or assign them their rightful place as a vital part of national security and place them in the same category as the defense budget. Let all defense savings yield an "education dividend".

We can not wait until the year 2000. Emergency education action is necessary now in the year 1991.

EMERGENCY MOBILIZATION FOR EDUCATION: BASIC STEPS

For African-Americans the next ten years will be decisive ones economically, politically and socially. The driving force which will determine progress in all three of these areas is education. In the African-American community a desperate effort to overcome

monumental obstacles is necessary and education is the instrument, the tool, the vehicle for this exodus out of the valley of chaos and calamity.

The first duty of every African-American leader and all community based institutions must be the application of maximum continuous pressure on federal, state and city government to achieve public policy changes which will transform education in our communities. A masterful guide providing one approach to the systematic application of such pressure is the *Blue Print of the National Conference For the Education of Black Children*.

Beyond this vital necessity of agitating for the greater and more relevant use of taxpayer provided resources to improve the education of African-American students, we must mount an "overwhelming crusade" within our communities. Every entity must aggressively seek ways to create an atmosphere for intellectual development and an environment for learning. We must strive to create "learning communities" and "neighborhoods of students".

Every community organization or institution must emphasize the fact that education is for all age groups and must consciously work to provide highly visible profiles of adults who are continuing their education. Every community entity must seek ways to positively influence youth peer groups. Every entity must act immediately to take an education census of itself.

Every group of persons within the African-American community—mothers, students and laymen as well as ministers, mayors, congresspersons, city and state legislators—must conduct an education census of the time, energy, income and other activities being utilized for, and dedicated to, education. All groups—churches, lodges, fraternities, social clubs, business and professional organizations—must conduct an education census to take stock, more must immediately follow this census. Because education is the salvation of our people we must not equivocate or hesitate to fully commit our resources or ourselves. To create the momentum needed to transform African-American communities into "learning communities" and "neighborhoods of students" we must all resolve to give money, know-how, energy and time until its hurts.

Every congressman must set aside a portion of his/her budget, staff, schedule, etc. in Washington and in the district for activities supporting education. The Congressional Black Caucus should escalate the pressure on the administration and the congress to obtain immediate meaningful appropriations to provide emergency relief to the schools serving African-American communities which are desperately in need. The CBC should also provide leadership for all other elected officials by developing an alternative comprehensive plan for the improvement of education in America. The CBC should foster special consultations with state and local African-American elected officials in order to gain and maintain support for the implementation of a relevant education master-plan.

All local and state legislators serving African-American communities should put forth a distinct set of positions and plans for the drastic overhaul of education in their jurisdictions. Trick state aid allocation formulas (such as those based on attendance instead of per capita or enrollment) must be confronted and liquidated. Local Education Agencies must be mandated to distribute funds and other resources on a per pupil equal basis to all schools except where special populations

are targeted by special projects or specific laws. Funds for personal services must also be distributed on a per pupil equal basis in order to insure that all children receive the benefit of experienced administrators and are exposed to tenured teachers with college majors in the subjects they are teaching. Requirements that all schools meet basic standards for licensed teachers, accredited libraries and certified science facilities must be established and enforced.

All mayors and county administrators must recognize the urgency and desperation of the present education situation with respect to African-American children, and they must utilize their high visibility and their executive powers to exert maximum influence on school boards and school administrators in order to achieve rapid, positive change in schools serving African-American children. It is the duty of African-American elected executives to, at all times, especially during periods of unavoidable budget reductions, serve as special guardians to protect the resources available for the education of our children.

All ministers and church leaders must resolve to more emphatically utilize the exalted position of the church in the African-American community to encourage education related activities. Every church should strive to establish and maintain a church library which includes African-American heritage books, videos and other educational materials. Church activities for youth should include spelling bees, oratorical contests, essay contests, heritage quizzes, debating clubs and other similar programs.

Every professional group should develop specific plans for the utilization of their know-how in support of the overall community education effort. Lists of professionals with summaries of their expertise and experience should be made available to local schools. Instead of waiting to be solicited by school officials, an aggressive visiting program should be initiated.

All business groups should resolve to assume responsibility for assisting with the development and monitoring of education and job training programs which are not under the jurisdiction of the school systems. In addition to continuing their traditional support for education—scholarships, awards, prizes, etc.—business groups should assume special responsibilities for the provision of resources for adults and workers.

All other religious, fraternal and social groups, should move beyond their traditional token support of education with a few annual scholarships and launch efforts to greatly expand such support by mobilizing other community groups and/or by demanding greater support from corporations and other suppliers of goods and services to the African-American community.

Public libraries and librarians must be viewed as a free-standing community resource available to be utilized by all segments of the community in the process of mobilizing to improve education. Elected officials, clergy leaders, businesspersons, professionals, parents, students and all others may come together at this taxpayer supported facility. An information data-base for education can be maintained at a local library; a directory of professionals volunteering expertise and businessmen volunteering resources may also be maintained. Public libraries should be utilized as headquarters for community-wide education improvement committees.

America 2000 Communities as designated in the President's strategy, America 2000, rep-

represent a desirable approach to organizing for educational improvements at the level of the congressional districts. All African-American communities are urged to participate in the processes to establish *America 2000* by adopting the six National Educational Goals, bringing together a cross-section of community leaders to set up report cards to monitor the local achievement of such goals and completing the additional necessary steps.

The current state of education in African-American communities clearly indicates that not only have we been victimized by negative and destructive public policies, we have, as a people, also acquiesced to the rampant anti-intellectualism, anti-education mind-set of mainstream America. In order to survive African-Americans must desert the ideology of consumerism and seek higher ground. We must spend most of our limited discretionary incomes and most of our bountiful supplies of time and energy on the education of our children and ourselves. Survival demands nothing less than the fullest possible commitment. We must mount the "overwhelming crusade" for education which creates "learning communities" and "neighborhoods of students".

From this moment and until the year 2000, African-Americans must march up front; in education African-Americans must set the pace, provide the leadership, for mainstream America.

In conclusion, Madam Speaker, I want to say that this is a struggle that must be entered with the same kind of total commitment that we had during the civil rights struggle. Our children will become obsolete drones in the 21st century labor market if we do not use every resource at our command to guarantee that they get a first-class education. Only we will do it, be able to do it. We must begin the struggle now.

Mr. DELLUMS. Madam Speaker, I thank the gentleman from New York [Mr. OWENS] for his contribution to these proceedings and would now yield to the distinguished gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Madam Speaker, I want to thank my friend and colleague, the gentleman from California [Mr. DELLUMS], for yielding. I also want to thank my friend and colleague, the gentleman from the great State of Mississippi [Mr. ESPY], for holding the first hour of this special order.

Madam Speaker, I rise to just say a few words about the status of civil rights in this country. Just a few months ago the news media reported that a study revealed that black Americans were three times as likely as whites to face job discrimination. That study, which was conducted by the Urban Institute, has offered strong evidence about the enduring condition of job discrimination against black Americans. The study reminds us that we, as a nation, have a long way to go to eliminate racial discrimination in the workplace and throughout this society.

Madam Speaker, too many of our brothers and sisters, thousands, millions, have been left out and left behind. Thirty years ago we saw the

President, a young and energetic President, John Fitzgerald Kennedy. We saw the U.S. Congress, and we saw the U.S. Supreme Court as a sympathetic referee in the struggle for civil rights. Today, 30 years later, this Nation is crying out for leadership on the issue of civil rights. It is not just black America, but all of America is crying out for moral leadership. It is a shame and a disgrace that in 1991 we are still debating whether or not we should protect our fellow Americans from discrimination.

Thirty years ago, Madam Speaker, I came to this city as a very young man, 21 years old, to begin an historic journey called the Freedom Rides. As we travelled throughout the Nation, from Washington, into Virginia, through North Carolina, South Carolina, Georgia, Alabama and Mississippi, I saw those signs that said "white men," "colored men," "white women," "colored women," "white waiting," and "colored waiting." But I say to my colleagues, Madam Speaker, a large number of people around this Nation, black and white, young and old, rich and poor, Protestant, Catholic, Jewish, and many Members of this body had the moral courage to bring those signs down. Those signs are gone, and they will never return.

Madam Speaker, we won that battle, but our mission is not over. The fact is that almost 30 years after the 1964 Civil Rights Act and the 1965 Voting Rights Act the scars and the stains of racism are still deeply embedded in American society, and I just want to remind my colleagues that are maybe watching this procedure that during our last debate on the Civil Rights Act of 1991, we only said that this act was an attempt to take us back to where we were before the recent Supreme Court ruling. There was nothing radical, there was nothing extreme, there was nothing revolutionary about this little piece of legislation. I want to say once again that it was not one section, one paragraph, one sentence, not one word to suggest that this view was a quota view. For anyone to continue to suggest that the Civil Rights Act of 1991 had anything to do with quotas, was tampering with the truth and misleading the American people.

□ 1800

We still do not have a civil rights bill, and we need that bill now more than ever before. The passage of the Civil Rights Act of 1991 will be good for all America.

Madam Speaker, we must continue to serve and to stress the fact, as we talk and speak about the state of black America, that we are one Nation, that we are one community, that we are one people, that we are one family, and that civil rights belongs to all of us.

Madam Speaker, again I want to thank my friend and colleague, the

gentleman from California [Mr. DELLUMS], for yielding.

Mr. DELLUMS. Madam Speaker, I thank the gentleman from Georgia [Mr. LEWIS] for his very compassionate and powerful contribution to these proceedings.

Madam Speaker, I now yield to the distinguished gentleman from New Jersey [Mr. PAYNE].

Mr. PAYNE of New Jersey. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, let me first congratulate the chairman of the Congressional Black Caucus, the gentleman from New York [Mr. TOWNS] and the chairperson of the dinner, the gentleman from Mississippi [Mr. ESPY], and the chairman of the Congressional Black Caucus Foundation, the gentleman from Missouri [Mr. WHEAT]. I think that these gentleman have brought us through these times very nicely, and I would like to publicly acknowledge that without their dedication we would not be as far along as we are tonight.

Madam Speaker, as we gather tonight to assess the state of black America, let us remember that we have promises to keep. Promises that we have made to ourselves—to move forward, to remain strong, and most importantly, to be the guardians of the next generation—our children and youth.

At no time in our history have our young people faced the kind of danger they now encounter in their daily lives. In their neighborhoods, in their schools, and in their homes, it is all too often a perilous existence.

Childhood should be a time of joy, security, learning and growth. The bleak reality is that young children are more likely than any other group in our country to be poor. One in four preschool children live in poverty, and statistics indicate that African-American and Hispanic children are 2 to 3 times more likely than other children to be poor.

Changes in demographics are having a profound effect on African-American children. With the growth in the number of single mothers, day-care needs have reached the critical stage.

It is time that we recognize that we have a national crisis on our hands. We have a situation where over 38,000 infants in this country die before reaching their first birthday.

In many ways, we seem to be moving backwards—last year, more children died of a preventable disease, measles, than in any year since 1971.

In my home State of New Jersey, over 223,000 children lack medical coverage, and over 15,000 are homeless.

Nearly 300,000 children in New Jersey live in poverty.

Only 1 of every 5 children in New Jersey has access to a Head Start Program, and 10 of every 1,000 children

born in my State this year will die before their first birthday.

In my own congressional district, the 10th District of New Jersey, we are dealing with a life-and-death struggle as we try to help babies born with the AIDS virus. Newborns are inheriting the alcohol and substance abuse problems of their mothers.

Following a congressional hearing in my district on the problem of abandoned infants, I introduced legislation to help keep families together by giving them the resources they desperately need to overcome their problems. The House Education and Labor Committee recently passed the measure.

Madam Speaker, there are solutions. It is my firm belief that a Nation as great as ours can offer all children a bright future, if we have the will. Surely, if a military victory on foreign soil can be accomplished, a victory on behalf of America's children is possible.

The Rockefeller Commission has recently made a number of sound suggestions for improving the quality of life for our children and youth. Among these is a \$1,000 income tax credit for each child in America, which would help many families better cope with the financial burdens they now bear.

There are many creative and innovative approaches to helping our young people. Tomorrow, I will host a braintrust in conjunction with the Congressional Black Caucus legislative weekend on the topic, "Youth at Risk: Programs That Work."

A number of community activists and young people have generously agreed to share their success stories with us. In communities across the country, people are pulling together; they are forming community outreach and monitoring programs; they are giving young people an important message—that they matter, that we care.

Madam Speaker, let us reaffirm our commitment to the next generation. Let us keep our promise, because they represent the promise of the future.

Mr. DELLUMS. Madam Speaker, I thank the gentleman from New Jersey [Mr. PAYNE] for his contribution to these proceedings.

Madam Speaker, I now yield to my distinguished colleague, the gentleman from New York [Mr. RANGEL].

Mr. RANGEL. Madam Speaker, let me thank the gentleman from California [Mr. DELLUMS] for yielding to me.

Madam Speaker, I feel so proud of being an American, I am proud of being a member of this distinguished body, but I am even so much more proud to be a member of the Congressional Black Caucus.

Some 21 years ago I joined the Congress with the distinguished gentleman from California, and at that time, under the leadership of former Congressman Charles Diggs, we came together to form the Congressional Black

Caucus. That was 21 years ago, and in each session and each term the strong keeps getting stronger and we are able to return to this Congress, and I think, more than any other group here, we provide more protection for this Constitution and what this country is supposed to represent than any group that has served in this honorable body. There is no question in my mind that history is going to so record those facts, not because we have higher morality or because we have stronger convictions but because we have constituents who are the strongest and most patriotic Americans that this country has ever seen. They have fought on every battlefield from the cotton fields to our recent excursion to the Persian Gulf. Yet they believe in those principles of life, of liberty, and of the pursuit of happiness, and they have asked us not to do these things just for African-Americans but for all Americans, although somehow it appears as though the political structure has just bypassed us.

So there is no question, if we are talking about the homeless, the jobless, and the hopeless, that hope is found in our Congressional Black Caucus in all these areas.

□ 1810

Recently our President came to this House and asked a joint session to join with him in a war against drugs. No one applauds it more than I do, because, knowing the President's propensity to get involved in excursions in which he declares war, I had hoped that there would be a sense of sincerity here in having someone at the helm to be able to say that the real threat to our society is not the communists, but are those that have no hope, that cannot fulfill their dream that this country can produce for them. That is the only reason that anyone would give up their minds and bodies to drugs that preys on them.

But when the President indicated that his war was going to be conducted by a crime bill, one had to pause and wonder whether he understood what the problem was all about. We cannot win any war by taking the most productive part of our society, those that we expect to participate in making us more productive, that being the labor force that we are going to need to compete, and think that all we have to do is warehouse them in jails.

We cannot compete if all we are going to do is wait for some kid to drop out of school to be found homeless, to believe that he can find a better life in drugs than he can in seeking a higher education. We cannot help because we are able to lock him up.

A society that is willing to pay more to keep someone in jail than they are to keep them in school, a society that does not believe it is their responsibility to deal with the problems of the

homeless and the jobless, cannot win any war against drugs.

We fight this war with no chief of a joint staff to guide us, with no foreign policy to affect those nations that are creating and producing tons of coca leaves and cocaine and opium and heroin. We come with an Attorney General that has no plan to give any assistance to those who find that they may be on their way to jail for rehabilitation, so that they can come back into society and be productive.

We have no plan, no national strategy in terms of rehabilitation for those that have fallen. But, worse than anything else, Madam Speaker, we have no plan to give our youngsters an alternative to death on the installment plan by addicting themselves to drugs.

Our hospitals, our emergency wards, are swollen with children being born every day addicted to drugs, some with AIDS, abandoned sometimes by parents.

Our emergency wards find children who have killed other children, and others are wounded. Others suffer with hypertension, heart disease, liver failure, and kidney failure, all related to drug addiction.

I know that if we are going to win this struggle, and we will, it is going to take the programs as initiated by my beloved Congressional Black Caucus. It is going to take a Congress that is concerned about that Constitution and making certain that each and every individual in this country has the opportunity to succeed and be able to form that dream that the late prince of peace, Dr. Martin Luther King, talked about.

But you cannot form that dream in some shelter, living on the streets, or just squandering in some jail cell. We are going to have to make an investment to make certain if this great Nation of ours is going to remain competitive, if we are going to reduce our budget deficit, if we are going to bring some balance to trade, that we have to have a labor force that is going to be able to produce.

Madam Speaker, I tell you I am convinced that as soon as we get finished losing islands to invade and areas that we are bringing liberty to for dictators that never appreciated the qualities that we have evolved, at least in writing, in our Constitution, until we can decide we are more concerned with education than we are in creating a defense force when there is no one to fight, until we are willing to invest in our schools what we are willing to invest in building our jails, then we won't come anywhere near really reaching the high goals and ideals that are in this Constitution.

So as we move on to this 21st year, let me say to the new Members, that we have a challenge to present to this House, but we also have a responsibility to go in every county and every

city and every congressional district to see that our numbers get stronger. Because when the final pages of history are written, I am thoroughly convinced that it will say when all people were trying just to get reelected, it was the Congressional Black Caucus who stayed on that road that best protected our national security and the Constitution and moral values that America truly should and does believe in.

Mr. DELLUMS. Madam Speaker, I thank the gentleman for his very powerful presentation.

Madam Speaker, I would now yield myself the balance of my time, as I understand the gentleman from Maryland [Mr. MFUME], will follow with an additional hour and my colleagues in the Congressional Black Caucus who have not spoken will have an opportunity to speak during that one hour.

Madam Speaker, in making my contribution to these proceedings, I will look back, pause momentarily in the present, and also attempt to look prospectively.

Prior to making my remarks, I would like to first thank the gentleman from Mississippi [Mr. ESPY], for organizing these special orders, and feel very pleased and privileged to be part of it.

Second, Madam Speaker, I would say that it is always with a profound sense of pride that I stand with a group of people that I consider the most progressive and compassionate legislators in the United States. I have had the great privilege of serving with members of the Congressional Black Caucus now for nearly 21 years, faces now lined with gray hair and deep lines.

But over the course of that time, it has always been with a great sense of strength and pride that I rise with the Congressional Black Caucus, as we on numerous occasions have taken to the well, to challenge, to advocate, to inspire, to energize, indeed, to have the audacity to attempt to prevail, on behalf of our respective constituents. So I feel great pride in rising this afternoon.

I rise today to speak out on behalf of the poor and the powerless in our society, Madam Speaker, the young, the elderly, the physically disadvantaged, the single mothers striving against increasing odds to maintain the social fabric of the family, and the majority of our minorities who still suffer the tortures of discrimination and deprivation in the classroom, the workplace, among other places, and in their access to affordable housing and health care.

Madam Speaker, I speak out this afternoon with a combination of personal pain, persistent anger, political and professional commitment to intensify the struggle to secure social equity and economic justice for all in our society, regardless of race, national origin, religion, age, gender, economic condition, or political preference.

The pain and anger, Madam Speaker, have multiplied with each succeeding

year during the past decade, because of the disastrous short-term and long-term consequences of what came to be known as Reaganomics. Sadly, the Congress has been unwilling to stand up with courage and conviction to challenge the ascendant administration's philosophy of greed, selfishness, self-aggrandizement, by the privileged and the powerful, at the expense of America's middle class and working poor, the overwhelming but powerless majority of our citizens.

Ten years ago, after Mr. Reagan submitted his first budget to the Congress, I wrote the following analysis to my constituency in the eighth Congressional District in California. I quote in part:

The new administration's budget is the most flagrant systematic assault by government on the economic well-being of America's middle class, working poor, and unemployed, in this century. The proposed cuts from social service programs for the poor, the elderly, the unemployed and the handicapped, will be transferred directly to the Pentagon.

This is a deliberate escalation of the international arms race on which this administration plans to spend a minimum of \$1.3 trillion in the next 5 years. The administration's plan to stop runaway inflation and revitalize our economy will produce even greater budget deficits and more long-term unemployment than its Carter counterpart.

□ 1810

Tragically, Madam Speaker, those prophecies have become reality during the past decade. For those who refuse to believe, consider the following: During the Reagan-Bush era the tax rate for the highest income earners was decreased from 70 to 28 percent; the corporate tax rate for the largest corporations was reduced from 56 to 34 percent; the capital gains tax was reduced to 28 percent and the current administration is lobbying to have it reduced even further to 16 percent.

A decade ago the Dow Jones average of leading industrials was 954.01, the day after Reagan's inauguration. Yesterday it was 2,982.56. During the past decade the United States spent more than \$3 trillion on the military budget, \$2.958 trillion in budget authority, \$2.780 trillion in outlays, and foreign military assistance and transfer programs, \$118.44 million.

During the past decade the national debt has almost quadrupled. It is currently in excess of \$3.528 trillion. The projected budget deficit for fiscal year 1991 is \$279 billion; \$336 billion in fiscal year 1992, due in large part to the catastrophic nature of the S&L crisis and continued excessive military spending.

During the same decade the following fiscal, social, and economic injustices were inflicted on the American people: The total tax burden, including increased Social Security, State, and local taxes for middle class and working poor has actually increased almost a fifth. During the past decade revenue-

sharing and CETA funding were totally eliminated. During the past decade HUD-assisted housing programs and urban aid programs were both cut by more than 70 percent.

During the past decade, while the inflation rate rose more than 40 percent, cumulative food and nutrition assistance to the poor and needy increased less than 20 percent; the Food Stamp Program, less than 5 percent; elementary, secondary and vocational education assistance, less than 15 percent; higher education assistance, less than 12 percent; veterans' nonservice-connected pensions less than 2 percent.

During the past decade health care costs and insurance for middle class and working Americans have more than doubled. More than 37 million Americans currently have no health insurance whatsoever. On any given day that number is even astronomically beyond 37 million.

The United States and South Africa, very interesting juxtaposition, remain the only industrialized nations in the world without a national health insurance program. This explains in part, Madam Speaker, why the United States currently ranks—here is a superpower—ranks 21st in the world in terms of infant mortality and no longer is in the top 10 in terms of life longevity.

In 1979, the total unemployment rate was 5.9 percent. In 1980, in the wake of the second Arab oil boycott, it averaged 7 percent. In August of this year, 6.8 percent. For Black America the current crisis borders on the catastrophic.

Consider the following realities: In August of 1991, black unemployment was still double that of whites at 12.3 percent. For Hispanics, almost as grim, 9.9 percent. The latest official unemployment statistics for blacks, 39.7 percent, and Hispanics, 23.8 percent. Teenagers have increased from what they were a decade ago. They have almost tripled and doubled respectively the rate of their white teenage counterparts.

While white poverty fell marginally during the past decade, black poverty has significantly increased. More than one of every three blacks in America live in poverty or worse.

The current census projections of the black population—listen to this—the current projections of the census on the black population in America means that at this very moment there are somewhere in the neighborhood of 14 to 15 million black Americans living in poverty, living below the poverty level.

The number of blacks who are among the poorest of the poor, those who have income less than half of the official poverty level, has increased by almost 75 percent in the past decade. The poverty rate for black children is now hovering around 50 percent, the highest rate since the Great Depression, even worse for black children below the age of 6 years.

Black female heads of families are 4 times more likely to be poor as black married couple families. The ratio is even worse for families headed by women between the ages of 15 and 24. The poverty rate for blacks lacking a high school diploma exceeds 40 percent. The poverty rate for blacks with a high school diploma is four times as great as their white counterparts.

There are more black males, Madam Speaker—check this out—there are more black males between the ages of 18 and 25 incarcerated in America's prisons than in every single 4-year institution in this entire country, a nightmarish statistic with alarming implications for the present and the future.

Madam Speaker, homicides by guns, already alluded to by others, or other weapons are now the leading cause of death among black males from ages 16 to 25.

Madam Speaker, because of the fiscal and social horrors that I have just cited, and those are only a few to just paint a partial picture of the nightmarish realities that are the realities of the black condition in America, and because of the dramatic changes in the international security situation in recent months, I believe it is imperative, Madam Speaker, that the Congress take the lead in rethinking our national and international priorities and reordering our spending priorities, both at home and abroad.

During the past decade this group, the Congressional Black Caucus, has continually tried to address these critical issues in the context of a changed and changing world through the proposals contained in its annual quality-of-life budget, alternative budget proposals that clearly were visionary and forward-thinking, for we have the audacity to carve out a new role for this country in a rapidly changing world.

Now in the wake of the budget summit agreement last year and recent events, I and other concerned Members of the House are firmly convinced that we must now seize this historic moment to address these new realities in a constructive and enlightened manner. We must go beyond the limitations and the constraints of last year's agreement to forge new programs that address the challenges and crises of today and tomorrow. The world has changed.

If we are all telling the truth here, we are about the business of losing an entire generation of our children. This country does not look the same. It does not feel the same, and it does not smell the same. These realities combined mean that we must seize the moment to bring change.

Last year's budget resolution is an antiquated idea that has to go with the evolving and changing world. The Cold War and the Warsaw Pact and the Berlin Wall are history, and our national

security budget ought to accept and respond to these realities.

□ 1830

There will continue to be problems caused by the disintegration of the Soviet Empire and the reemergence of national ethnic and religious animosities, but these absolutely must be addressed within the context of the United Nations and collective security agreements. We cannot be the police officers to the world.

Old myths can no longer be utilized to justify the continued escalation of the nuclear and conventional arms race, nor further U.S. unilateral overt or covert intervention in Third World countries.

Accordingly, the Congress should give serious consideration to further responsible, orderly reduction in nuclear and conventional forces.

If these proposals that many of us are prepared to present, to debate, to advocate, and to push forward—if these proposals were adopted and implemented during the next 4 years, this Government could cut military spending from the current \$292 billion per annum to less than \$150 billion over the next 4 years. That is in constant 1992 dollars. This would result in budget savings of almost \$600 billion over the next 4 years.

It staggers the imagination to consider the extraordinary compassionate, innovative, and marvelous things we could do to make this world a better place for our children and our children's children with \$600 billion, not dedicated to ending life on this planet with the insanity and the absurdity of nuclear weapons and conventional forces that are obsolete, given the changing world.

As an initial commitment to the changed national and international priorities, Congress should take the first step by further reducing the military budget in fiscal 1992. I am quite aware that the budget summit agreement of 1990 provides that 50 percent of any reduction in the military budget must go to deficit reduction, but given the realities of the changing world and the human needs that are going to be neglected and that need to be reconsidered, that figure, it seems to me, is too high. I think we need to bring down the budget deficit, but 50 percent of the cuts, that is a figure I think we need to change. There are critical human needs that must be met in the year ahead if America is to endure as a compassionate nation.

Besides budget reduction, I propose that a portion of the reduction should be spent through international relief agencies to the former Soviet Republics most in need of food, energy, and health care assistance. An equal or greater amount should be directed through these same international relief agencies to the starving and displaced

millions of sub-Saharan Africa, because their needs are even greater and more acute. We indeed do have international responsibilities. I believe in the global responsibility. It is good politics, it is compassionate politics, it is a role that a major power like the United States should play.

However, I hasten to point out that I believe the overwhelming portion of these dollars should be promptly redirected back into the human needs, social services, educational programs there were cut by \$50 billion in last year's budget agreement. This should serve as a prelude or the basis for a new budget summit that will honestly deal with long-term solutions rather than short-term fiscal fig leaves.

The proper reordering of our national priorities will then enable us to work toward the rebuilding of our national infrastructure in order to make us more competitive in the new world marketplace. That in turn will necessitate the rehabilitation and revitalization of our inner cities and long overdue improvements of our mass transit systems, et cetera.

However, this can only be achieved by a massive commitment by the National Government to quality education programs at all levels, from preschool to professional school so as to provide the properly educated work force to meet the challenges of a new century.

This must be accompanied by massive but necessary outlays for substantive improvements in housing and health care. This commitment to education, to jobs, to housing, to health care must be made to all of our people, especially our minorities, particularly our constituency.

The bottom line reality is this: We will either pay now, Madam Speaker, or we will pay later, but we will pay. We must be willing to pay now to increase constructive educational and job opportunities for all of our youth, or we will pay later in the form of more racial and economic segregation, more taxes for more prisons, more police and, tragically, yes, more violence predicated upon class as well as race. It is time that we as a Nation give up to the promises and dreams inherent in the Declaration of Independence and indeed the Bill of Rights.

This Nation was founded as a representative democracy. For more than two centuries many of our forefathers, forebearers of all colors and both genders have struggled to make this a more inclusive society with increased opportunity for all. Now it is incumbent upon us to elect people to the Presidency and to the Congress who will respond to the needs and aspirations of all to make this a better society for our children and for our children's children.

We are at a critical crossroads in our historical future. We cannot afford to

step back or step away from the path of national purpose and collective effort that will help us achieve racial harmony and economic justice for all. I ask you assembled in this place and those not assembled in this place to join with us in making these dreams a new national reality.

As a final comment, Madam Speaker, I simply say again to my distinguished colleagues who comprise the Congressional Black Caucus, this has been my family for 21 years. We have fought here together, we have cried here together, we have felt pain, we have felt anger here together. But I am renewed and energized by our efforts today and the fact that I know that we will continue to struggle over the days ahead to continue to challenge this institution, and indeed this country to a more lofty place.

Madam Speaker, I yield back the balance of my time.

STATE OF THE UNION AND BLACK AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. MFUME] is recognized for 60 minutes.

Mr. MFUME. Madam Speaker, I thank my distinguished colleague, the gentleman from Mississippi [Mr. ESPY], for convening us here today for this historic special order on the eve of the 21st anniversary of the Congressional Black Caucus. Also my thanks to my colleague, the gentleman from California [Mr. DELLUMS], for continuing the second hour of this very important debate. I, like many others, also seek time, but first, Madam Speaker, I would like to yield to the gentleman from New Orleans, LA, Mr. JEFFERSON.

Mr. JEFFERSON. Madam Speaker, I rise today to participate in this special order on the state of black America. I wish to thank my distinguished colleague from Maryland [Mr. MFUME] and my colleague from Mississippi [Mr. ESPY] for reserving this time for this important discussion.

While our Nation as a whole has undergone a serious international reassessment of its strengths and weaknesses to discover how it will compete in the year 2000 and beyond, black America has also undergone a reassessment of its status. Especially is this true in the area of higher education. Access to college for black Americans is less now than it was 10 years ago. College-going rates are down, and so are graduation rates.

□ 1840

To a large extent, the diagnosis and the prescription are the same for both America as a whole and for black America. Our Nation is at risk. Black America is at risk. For both, the cure is education.

Fortunately for black Americans, historically black colleges and univer-

sities have, since their creation in 1865, been a progressive and creative force in the vigorous pursuit of the achievement of social justice, cultural awareness, and academic excellence for black Americans. As a native son of the South where most black colleges and universities can be found and as a graduate of one of these outstanding institutions, I speak with personal knowledge about the significant role these colleges and universities play in educating and uplifting black Americans.

In no other region of the country has the impact of historically black colleges and universities been felt more directly than in the South. Mired, as it has been, in the depravity of its past injustices toward its black citizens, the South today shows strong signs of changed cultural and political landscapes and an increasingly enlightened appreciation for its rich diversity. This would not have been possible without black colleges and universities.

Madam Speaker, it is no accident that the South has the greatest number of black elected officials of any region in the country. Without fanfare and with meager resources, black colleges and universities have prepared overwhelming numbers of black lawyers, black doctors, military officers, and academics. As W.E.B. Du Bois described them, these colleges were practical enough to nurture black Americans in the enterprise of learning here on the Earth, yet able to point us to new horizons in the skies, wherever we aspire.

Historically black colleges, Madam Speaker, must be preserved. They must be strengthened. They must be enhanced so that they might continue their stellar contributions to the evolution of black Americans.

To this end, I, along with several other members of the Congressional Black Caucus and others of my colleagues on the Committee on Education and Labor, have introduced H.R. 3244, the College Opportunity Act of 1991. This act will better meet the needs of our Nation's historically black colleges and universities, to remove the barriers to higher education facing our African-American youth. It will strengthen and enhance historically black colleges, and it will improve the access and educational attainment of the students they serve.

In the Higher Education Act of 1965, Congress recognized the fundamental wisdom of bolstering historically black colleges and universities to help meet important goals for the Nation.

As we reauthorize this act in 1991, I believe that all Americans must recognize the progress of the Nation as a whole is inextricably bound to the educational progress of black Americans and that, indeed, Madam Speaker, breaking down barriers and building opportunities for black Americans is

building the strength and enhancing the competitiveness of all Americans.

Mr. MFUME. Madam Speaker, I appreciate the remarks of the gentleman from Louisiana.

Madam Speaker, let me, if I might, take a moment to yield to the gentleman from Missouri [Mr. WHEAT], the distinguished member of the Committee on Rules.

Mr. WHEAT. Madam Speaker, as I rise to participate in this critical assessment of the state of our Union and the state of black America, I could not help but take a few moments to pause and thank several who have come before for their contributions and their accomplishments.

One we think of, because as Members leave this well, they are on their way to a last reception for a colleague who is retiring for a higher calling, the majority whip of the House of Representatives, our colleague, Bill Gray, recognizing that there is an important task within this body, but that each of us has a role to play wherever it may be, and he goes on to become the president and the executive director of the United Negro College Fund. We applaud him and thank him for the 12 years that he gave us in this body.

I also want to take a moment to thank another colleague who is no longer with us, a colleague who left us 2 years ago on a mountaintop in Ethiopia, a colleague who came here with Bill Gray and who served steadfastly for 10 years in this Congress, our friend, Mickey Leland.

Mickey Leland believed that we had a mission as the Congressional Black Caucus in this Congress. Mickey pointed to the troubles that exist not just in this country but throughout the world. He pointed to the people that he loved best, the children of the world, and he pointed to one problem that exists for most of those children: The problem of hunger, accompanied by disease and oftentimes starvation. Mickey Leland said that hunger was a disease for which we all knew the cure, that if a child was hungry, that it had to be fed. Mickey reminded us that it was important to care for children everywhere, but more than that, he said it is not enough to care. We have to act.

And that is the mission of the Congressional Black Caucus, to act on the pressing issues and struggles of our day.

As I stand here and as all of us have stood here in this well, we have stood at the helm of the world's greatest democratic vessel, proud to be members of the Congressional Black Caucus, and, Madam Speaker, I might add that I am proud to know that people have journeyed to Washington, DC, to participate in this struggle, and as you pointed out, it makes us understand once again that there is a struggle worth fighting for.

Yet, even as we struggle on, despite the valiant battles waged by Members

who have been assembled here, we have witnessed the selective enrichment of the few and the continuing deteriorating quality of life for the many.

For those in the Congress, our friends and colleagues here today, and those whose interests we seek to protect both in this Nation and around the world, a graphic picture has been painted for you: A ship of state awash in an ill tide of evil will that has divided our people, rich from poor, black from white, and hopeful from hopeless.

Even here in Washington, DC, great people abound, and I do not mean great by any dint of accomplishment. I do not mean the people at the White House nor do I even mean the people in this body. I mean the people who sleep in the shadows of the White House, in the winter in Washington, DC, on the grates in the sidewalk because it is the only warm place they can find to lay their head.

The thousand points of light are not brilliant enough to reach into those shadows cast by the White House, and socially destructive behaviors like racism, once denounced in this country, have had their licenses renewed. And what do we hear from the White House in response? We are told that the American people can no longer afford to take care of their own, that our budget deficit is too great.

There may be a large budget deficit, but the moral and social deficits evident in our collective condition are far more threatening to the future of this country. Look around us, our resources are abundant. Our productive capacity is enormous. Surely we can find a way in all of this to care for each other.

□ 1850

As a people, I believe we are too caring to turn our backs on our fellow citizens in need. As a nation, the future holds great promise if we can but channel the tremendous reservoir of talent, energy, and resources that our country possesses.

This week we have a clear reminder of what our Government can be. As the hearings begin in the U.S. Senate on the nomination of a candidate to replace Justice Marshall on the High Court in this land, with the departure of Justice Marshall from the U.S. Supreme Court, a towering figure of the civil rights era is preparing to leave the scene. By using the judiciary as a tool for positive social change, he by himself perhaps did more than any other American in modern times to expand the rights of ordinary citizens.

The civil rights era launched by Thurgood Marshall, by Rosa Parks, by Martin Luther King, and other champions of justice was marked by the passage of landmark legislation banning discrimination in employment, in housing, in public accommodations, and the voting booth.

Our Government during those years became an instrument to change the

odds for the most vulnerable members of our society and to give them a vision of hope for the future.

Thanks to this watershed period in our Nation's recent past, an unprecedented number of black Americans are now economically secure. Yet, as you have heard from the colleagues today, recent events have shown us that we cannot take these gains for granted, or in the words of a former U.S. Senator from Louisiana who put it this way when he was asked to sum up the civil rights movement, he said, "You people"—and we know who he meant when he said "You people"—he said, "You people almost had it made, but you rested just too soon."

Well, Madam Speaker, there is an old African proverb that says, "Going slowly does not stop one from arriving."

We in the Congressional Black Caucus and you in this country have been on this journey for a very long time and this journey will continue until we arrive, but even now an increasingly hostile U.S. Supreme Court has begun to chip away at the underpinnings of our Nation's antibias safety net, and this administration has shown itself willing to play Willie Horton politics with legislative safeguards against discrimination.

In the face of the obstacles to progress, the Congressional Black Caucus will rise to the challenge of developing strategies to address the inequities that continues to confront our modern society and we will create new opportunities for an increasingly diverse African-American population.

President Bush has called for a new world order. We ask simply for the old American dream.

Today we ask of our colleagues and others within the sound of our voices to pledge to bring about a new state of the Union. We ask that those who are a part of each branch of Government, the executive, the legislative, and the judicial, set the cornerstone of a democracy that is indisputably of, by and for all of the people of this great land.

The SPEAKER pro tempore (Ms. WATERS). Does the gentleman request unanimous consent to strike references to the gallery from his remarks?

Mr. WHEAT. Madam Speaker, do I understand that it is against the rules of the House to refer to the people in the gallery?

The SPEAKER pro tempore. It is against the rules.

Mr. WHEAT. Madam Speaker, I ask permission to strike remarks in reference to the gallery.

The SPEAKER pro tempore. The Chair thanks the gentleman. Without objection, it is so ordered.

There was no objection.

Mr. MFUME. Madam Speaker, I want to thank the distinguished gentleman from Missouri for his comments, his eloquence, his friendship, and his lead-

ership in this body, as a member of the Rules Committee and as chairman of the Congressional Black Caucus Foundation.

Madam Speaker, I take this well to offer concluding remarks to a continuation of a special order brought about through the conception and through the ideas of the gentleman from Mississippi [Mr. ESPY]. I want to thank the gentleman for again convening us today and for all the other members of the Congressional Black Caucus who have come to this well to raise before this Nation the very real nature and the condition of black America and to argue forcefully and effectively that the well-being of black America really is the well-being of all of us in this great Nation, and that this Nation cannot, nor should it ever consider, overlooking any one segment of its society deliberately or otherwise, without realizing the damage that it does to the entire society.

I come here also at the conclusion of this debate, recognizing that I am the last person to speak tonight, remembering as I do as a child that we were often taught that the last shall be first, and I think of that not in terms of myself, but in terms of the ongoing contradiction that seems to exist unfortunately in our society, that in fact we can even have people who come last, people who because of the color of their skin or because of their last name or because of the ethnicity or for some twisted reason must come behind someone else. I would urge Members of this body and again remind citizens of this Nation that that is not the American way.

But I come this evening remembering as I do, thinking about the state of our Nation, and in particular the state and the condition of those of us of African-American ancestry. I am reminded of the great eloquence of Abraham Lincoln who in 1848 in a speech delivered in Edwardsville, IL, addressed these words to his countrymen:

When you have succeeded in dehumanizing the Negro, when you have put him down and made it for him to be but as the beast of the field, when you have extinguished his soul in this world, and placed him where the ray of hope is blown out as in the darkness of the damned, are you quite sure, that the demon you have roused will not turn and rend you?

What constitutes the bulwark of our freedom and independence? It is not our crown embattlements, our bristling seacoast, our Army or our Navy.

These are not our reliance against tyranny.

For all those may be turned against us without having made us weaker for the struggle.

Our reliance, he said, is in the love of liberty which God has planted in us.

Our reliance is in the spirit of freedom which prides itself as the heritage of all men everywhere.

Destroy this spirit and you have planted the seed of despotism at your own doorstep.

Ignore the chains of bondage and you prepare your own limbs to wear them.

Accustom to trample on the rights of others and you have lost the creative genius of your own independence and become fit subjects of the first cunning tyrant who rises among you.

□ 1900

Lincoln's words, uttered over 143 years ago, in many respects have gone unheeded. Poverty, despair, hunger, homelessness, degradation, deprivation, denial, and disprivilege are too often the norm in a society that can and must do better.

So we are confronted, as Dr. King once said, with a fierce urgency of now. That is this unfolding conundrum of life and history that there really is such a thing as being too late, for procrastination is the great thief of time. Too often, philosophically, ideologically, and sociologically we find that we are sometimes stifled and stymied and stultified by those in our number who pontificate but do not produce, by those who confuse but will not clarify, by those who go but will not give, by those who seek but will not serve, and by those who harm the preservation of culture and our history by refusing to hold on to it.

So then we must be the ones to close the gap between what we say and what we do, what we accept and what we reject. For the great enemy of truth is very often not the lie, deliberate, contrived, dishonest; but the myth, persistent, persuasive, and unrealistic.

Too often, then, we hold fast to the conclusions of other people, we enjoy all of the comfort of opinion without the discomfort of thought. So then perhaps it is good on this occasion to recall the words of Jesse Jackson and Dr. James Cheek, and Dr. Martin Luther King and others who call and beckon back to us, in this very real time of need, and make the argument, in some instances from their graves, that we understand that we have yet to become the society that we seek to be. For the last 30 or 40 years many of us of African ancestry in this country have concentrated on the public sector to make our case. I would remind us and argue that in 1991 and beyond there must be also a new corporate focus, that we must focus anew on corporate America and that buying a page in a men's day program, for showing up at one of our conventions in some booth or suite, represents generosity. We argue and we insist for economic reciprocity. Corporations in many instances have boycotted the black community. Corporations have put us on aid by denying us trade, by refusing to deal with us.

And so black America, then, suffers from a budget deficit that is a direct result of a trade imbalance. We cannot balance our trade and reduce budget deficits in our community by simply dealing with public aid alone. We must also insist on expanding private trade. Historically, in this Nation the black community has had a free-trade policy.

We have not put up trade barriers, import restrictions in our community. But corporate America, understanding that and realizing it, in many respects has taken advantage of it by exploiting us and adopting a restraint-of-trade policy.

We have traded with them and, in doing so, helped to develop their businesses, but they have not always traded equally with us to help develop our businesses.

So we are looking for actions that will stop this restraint of trade. A fair and equitable return on the black dollar is a demand that black communities, black business people are making over and over again.

I speak about business development because that is my area of expertise in this body. But I could speak beyond that, as could many of you who watch this discussion tonight, about other things that speak again to the quality of life in this country for purposes of African ancestry and cause us to come to places like this, at moments like this, to make their case. And yet, just the other day I went to visit a proud lady celebrating her 109th anniversary, and she stands, even as I speak, in the New York Harbor. In her right hand is a great torch, in her left hand she clings the Declaration of Independence close to her breast.

On her head is a crown of spikes and on her feet are broken shackles that symbolize freedom from tyranny.

Yet, as that plane flew over, I could still look down and hear her cry out through silent and concrete lips, saying, "Send me your tired, your poor, your huddled masses who yearn to be free, the wretched refuse of your teeming shores. Send those, the homeless, tempest-tossed to me for I lift my lamp beside the golden door."

And so we came, each of us and all of us from different directions and different reasons, but we came and became those children of the new day Sun in this Nation that knows and puts new meaning in the words "My country 'tis of thee, sweet land of liberty, of thee I sing. Land of the pilgrims' pride, land where my fathers died. From every mountainside let freedom ring."

Just a few months ago, in many villages, towns, and hamlets across this Nation there occurred what many people refer to as a celebration of the 37th anniversary of the Supreme Court decision in Brown versus the Board of Topeka, KS.

When on May 17, 1954, nine men robed in black assembled on that historic day to announce their unanimous decision among the Nation's black citizens and among some of its whites there was indeed a celebration. At black colleges classes were suspended and parties were hastily assembled. There was dancing in the streets of Richmond, Raleigh, Baltimore, Washington, and shouts of victory echoed and reverber-

ated throughout our communities. Our parents saw, in that decision in 1954, the dawning of a new era. They felt in the innermost parts of their hearts and in fact in the bowels of their existence that this Nation was at long last launched on an unalterable course, and that the American idea was in fact to become the American reality. Yes, it is indeed true that that 1954 Supreme Court decision became the watershed in our Nation's history with respect to the law of the land and that that verdict, by a unanimous Supreme Court, became the threshold of a launching of a new era in all areas of life, for that same group of people who had suffered, endured, and survived three centuries of slavery, oppression, deprivation, denial, and disprivilege.

And from 1954 onward through the decade of the 1960's many of us felt that all sectors of this society were at last determined that we would overcome the legacy of our Nation's past.

□ 1910

But in 1969, a high-ranking official in the White House advised the President in what later became known as the Celebrated Memorandum. He said, and I quote,

That blacks had made so much progress in moving into the mainstream of American economic, social, and educational life that our Nation's policies * * * with respect to problems and issues related to the status of blacks should be accorded benign neglect

In a period of just 2 decades since then, through the 1970's and through the 1980's, that neglect, once proposed as benign, is now a neglect that has become malignant.

So, I believe and I suggest humbly to my colleagues this evening that we use this occasion, this eve of the 21st anniversary of the Congressional Black Caucus, as a glittering reminder of the success of our experience, but also as a challenge to recommit ourselves to sharing the dream, the dream of Martin Luther King and Fannie Lou Hamer, the dream of Douglass, DuBois, and Washington and Tubman, the dreams of all those nameless and faceless people who just laid down one day and made their bodies a bridge that we might run across, and get to the Congress of the United States, and become the heads of corporations and to lead our communities, and we must do that, not just through our prose and through our poetry, or even through our prayers. We must do it through our action, action that removes a large part of our distress by first changing the conditions that created it.

So, on this occasion and on behalf of this distinguished organization in this body, I have come to say to my colleagues tonight that I have not given up on the American ideal or on the American possibility, and I ask my colleagues not to give up also. I am convinced that this Nation still stands be-

fore the world as perhaps the last expression of a possibility of man, devising a social order where justice is supreme ruler and law is but its instrument, where freedom is the dominant creed and order is its principle, where equity is the common practice and fraternity the common human condition, and it is also my opinion that we might be the last generation of Americans that has the opportunity to help our Nation fulfill its promise and to realize its possibility.

So, the Congressional Black Caucus, nameless and faceless as we are, seek over and over again to unite with the hearts and minds of other people, nameless and faceless throughout this Nation, who feel a burning desire to believe, as naive as it may be in this day and age, that, yes, all people are created equal, and that, yes, they are endowed with certain unalienable rights, and, yes, that among those shall be life, liberty, and the pursuit of happiness, and that we are prepared to take the Founders at their word and to call due the check on which they base the Constitution, and the Preamble, and the Declaration of Independence and all the other pronouncements that they issued to justify their revolution against tyranny. We call that check due, and we argue that in order for us to be that nation, that model that really leads the way, that we must remember that we are judged by how we treat the least of these, those people who are sleeping on grates across the street from the White House, those farmers in the Midwest who cannot make ends meet, that family in some large city that is trying to decide how they are just going to be able to pay the gas and electric or to send a kid to school, the middle-class families of this Nation who find now that they are continuing to bear the brunt of nonsense that we do. All those people, nameless and faceless, we stand for, and all those people make us proud that we, as African-ancestored Americans, are in fact Americans and are calling due that special note that the Founders of this Nation put forth.

Madam Speaker, on behalf of the Congressional Black Caucus, my thanks again to all those Members who have participated in this special order and to the thousands and thousands of people who have come and descended on Washington, DC, for these 4 or 5 days. It is my hope that we walk away, not just with a good feeling, but with an agenda, an agenda for positive change that takes the lead in pointing this Nation in its correct direction.

THE COUNTRY TODAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Madam Speaker, it is an honor for me to speak this evening, and follow the gentleman from Maryland [Mr. MFUME] and to echo in my small and humble way some of the themes he touched. Madam Speaker, I want to talk about the country today. I want to talk about America this summer, I want to talk about what we have not been talking about, particularly since this body adjourned over a month ago.

With the entire cold war international system disappearing before our eyes during the month of August, I do not think it was any surprise at all, no surprise at all, that the attention of this country, the attention of the world, was riveted to the drama unfolding in another part of the world, and for those who have lived the tension of the last 70-some years, the nuclear tension, the tension of not having enough to take care of our families, our cities, our towns, our villages, our farmers, the tension of pitting poor people in Central America against each other or in Africa against each other and Asia against each other, the tension that was built around the financial collapse in many ways of this great country of ours because of our concern with the cold war, indeed it was not surprising at all to find the country so riveted on what happened in Moscow, in St. Petersburg and other places in the Soviet empire, the once Soviet empire.

□ 1920

But now pundits in the media, the electronic media, the news media, are calling for a Marshall plan for the Soviets. Some of our leaders outline ways to break the budget agreement and divert money to the fledgling republics. Editorial writers across the country today are busy penning away their endorsements of emergency aid to any new nation that embraces this concept of free trade. But those who gaze across the Atlantic, imagining ways to play a role in these momentous events, have only to turn around and see another dramatic story, a story of a courageous, hard-working people who have been squeezed from virtually every angle.

It is the story of America's families, and it is particularly poignant to look at America's families in the summer of 1991. They are squeezed by a deep and prolonged recession. And it is deep, and it is prolonged. Those who say that we are moving out of it fool themselves.

One only needs to look at the statistics. Housing is down more than eight-point-something percent, personal income is down, and 300,000 people are off the unemployment compensation rolls in the month of July alone. It is a deep recession.

In my State of Michigan, 9.3 percent of the people are unemployed, and that is up from 8.1 percent. We are squeezed by tough competition from Germany,

France, and the countries of the Pacific rim. We are squeezed by a system that has raised taxes on the poor and the middle class but given a \$25,000-a-year tax cut to the richest 1 percent of America. That is \$25,000 a year at the expense of America's families.

We are squeezed by a health care system that is expensive for those who have insurance. And heaven knows, it is expensive. All you need to do is talk to people who say they cannot go to the drug store to get the prescription drugs they need because they cannot afford the accelerating cost. They cannot afford to go to get that checkup that is needed, even though they have a suspicion that something is wrong with them, and God forbid the mental torment, the fear that something may be wrong with their child or with their parent. And they tell of their inability to take care of basic dental needs. They are squeezed by it, but they are not as squeezed as the 37 million Americans who have no health insurance, not a dime.

I tell this story back in my district often, and I tell it because it is true and because it moved me. It moved me deeply. I met with a group of women, five of them, who work in a nursing home. They belong to a labor union. It is a good labor union, yet they only make \$5 an hour. They are working in a nursing home, taking care of our mothers and our fathers, our grandmothers and our grandfathers, bathing them, changing their bedpans, caring for them and loving them; yet they themselves, mostly single parents, had no health insurance for themselves, for their loved ones, or for their children. One woman told me she goes to bed every single night saying a prayer that her children do not get sick.

During the last month, while the President busied himself with the Soviet crisis, the back pages of the newspapers throughout this country, Madam Speaker, confirmed the magnitude of the crisis right here at home. In August the numbers of long-term unemployed, those out of work for more than 26 weeks and still looking for jobs, rose to 1.2 million. More than 300,000 Americans exhausted their unemployment benefits in July alone, as I said. This was the highest 1-month total in the last 40 years. If we continue at this rate, the number of Americans who run out of unemployment benefits this year will exceed any year since the program was established in 1930.

I remember speaking from this microphone in this well about a year ago. It was after the President had committed us and our young men and women, along with some of our older men and women, to the Persian Gulf. There are 2 million more people out of work today in America. There are 2 million people out of work today in America that had jobs a year ago.

Since June of this year, three-quarters of a million Americans who had jobs have no jobs, and they have all the mental anguish that goes with that, worrying about paying the bills, making ends meet, paying for groceries, having enough set aside perhaps for the education of one of their children, and, of course, all the wonderful little extras in life that make life so enjoyable. They have seen those hopes and dreams shattered.

But they say to themselves, "Well, I'm going to get a little bit of a reprieve. Maybe the economy will turn around, but at least I know that we have an unemployment compensation system in this country. We have a health care system that has a lot of holes in it, but at least I will have something coming in to pay the mortgage and to take care of the basic needs of my family."

But what has happened? These Americans at an exceedingly fast rate have run out of benefits. It is an emergency of great magnitude for them and for the country.

Those of us here in the Congress came to the Congress of the United States, believed in the extension of unemployment compensation benefits because we know there is a pool of money available to help these people, over \$8 billion that has been paid into it to take care of a situation like this, and we said to the President of the United States, "Mr. President, we know under our budget agreement that it takes an emergency for you to release funds, but we've got a lot of hurting people here in this country. You took care of the needs of the Israelis, the Turks, the Kurds, and the people in Bangladesh who need assistance. You signed the bills into law that declared an emergency for them. Won't you help our own?"

And the President, who was in Maine on vacation—and he deserves a vacation because he works hard; I am not going to take that away from him—said to the American people, "I'll sign that bill, but I won't declare an emergency for Americans. I won't declare an emergency for that family who wants to put some food on the table for their loved ones. I won't declare an emergency for that family that needs to pay the mortgage, that family that is having difficulties or that has a sick child who needs medical care. But I'll sign the bill."

I do not know why he signed it, but he said, "I'll sign the bill," and maybe it was just to make it look as if he really cared. But if he really cared, he would have released the fund. He said no to releasing the fund.

□ 1930

So we are back to square one. We come before you again, Mr. President, in the process of providing for these Americans, and there are 10 million of

them out there out of work, with another bill. But this time, if you sign the bill, you release the funds.

That will be debated in this body next week. I hope my colleagues, no matter where they are from, what State, what region, will understand the pain, not only of their constituents, but the pain of textile workers in the Southeast who are out of work, of automobile workers in my district, 10 percent, perhaps, who have no jobs today and are laid off, of people who work in the lumber industry in the Northwest, in the computer industry, in the service industry that has been devastated, and, of course, government workers across this country who have been laid off by the tens of thousands recently because of the budget squeeze that we are undergoing.

I hope all of my colleagues will understand the pain that is going on with their friends who serve them on respective committees and in various buildings in this great Capitol of ours, and that we send the President a bill, and the President will say to the Americans, yes, you are as important to me as someone from Turkey, someone from Bangladesh, someone from Israel. I will take care of you.

What about health care? I talked about health care a little bit. By the year 2000, nearly one-sixth of our Nation's gross national product will be consumed by health care costs. One-sixth.

Our national spending on health care, which is already higher than any developed nation, will climb from 12.3 percent to 16.4 percent of gross national product by the end of the century.

I will tell you, if we do nothing and let that happen, the economic decline of this country will accelerate at a dizzying pace.

What are we getting for all of this money? Just this morning the Washington Post reported that more than one-half of the children age 2 and younger in the Washington area have not received their proper immunization. This sort of story is being repeated all across the country.

The health care system in this country is turning into a disaster. It is a system that people do not understand, with the Medicaid system, a Medicare system, a CHAMPUS system for the military, the private system, a VA system, and 37 million people with no system. It is a bureaucracy that is so laden and heavy with paperwork we spend 26 cents on \$1 in this country just on paperwork. That is where the health care dollar is. Twenty-six cents of it is just on paperwork.

Canadians, for instance, spend only 11 cents on paperwork. The Japanese, far less. The West Germans, far less than us.

With the costs of health care soaring, and many needs unmet, it is no wonder that our working families list health care as the No. 1 priority on their list.

We have all heard it. We all go back to our districts, no matter if it is in Iowa, Michigan, California, Vermont, Georgia, or Texas. You name it, we all have town meetings. We have Rotary Club meetings.

The thing we are hearing the most is, do something about health care. The costs are killing us. It is the No. 1 issue negotiated at the bargaining table in many industries today.

Many people, as I have indicated, do not have access. The issue is white hot. It is as hot as it can be. We have to move on it. We have to address it.

Our party, the Democratic caucus, in conjunction with the Senate leadership, will have a program for America on this issue in a very short time that will address the cost issue, the access issue, and the overall health care quality issue for the people of this country.

Now, let me go back, if I can, and talk about this administration and this recession.

Before we left the administration, the Secretary of Treasury said about the recession, it is, "No big deal." It is no big deal.

The OMB Director said give them unemployment compensation benefits and you basically, and I am paraphrasing, you basically only perpetuate their needs to not go back to work.

The President signs a bill, but does not declare the emergency. What callousness, what insensitivity, what a real lack of understanding of what is happening in American towns and cities across this country.

It is a damn big deal when you are out of work. It hurts to be out of work. It robs you of your dignity. It robs you of your ability to provide for your family's needs.

Anybody who has had a parent or a loved one, the head of the family, who is out of work, understands that. They understand that. They understand it in the morning when they wake up and have to face the gloom and despondency of that person. They understand it during the day when it is on their mind, as well as on the breadwinner's mind. And they understand it in the evening when the extra things that might be there to make the day enjoyable are not there.

It is a big deal, Mr. Brady. It is a real big deal.

A few other things about the troubling news we have learned during the month of August. The Commerce Department reported that personal income for Americans fell for the first time in over 6 months. The Nation's gross national product continued to shrink during the second quarter of 1991. The national unemployment rate remained unchanged during August, yet, in Michigan, as I have indicated, it skyrocketed up to over 9 percent.

Don't be fooled by the number, that it wasn't changed in August, that it was 6.8 percent in July and 6.8 percent

in August. It wasn't 6.8 percent in July. It was between 7 and 8 percent. What they do not tell you is that in July, 416,000 Americans dropped off the rolls and were not counted. They gave up hope. There was nothing out there. Nothing out there.

Ironically, the very same administration that brought us these sobering statistics also claim that the recovery is on its way, happy days are here again, and we are just around the corner. Everything is going to be fine, and hunky-dory, and just hang in there with us, and it is going to be just great.

But the American middle class was not fooled when the President trumpeted the end of the recession from his vacation home in Kennebunkport, in between his jogs around the golf course. The tough times are not over just because the President says they are, and our working families in this country know it.

The economic impact of the recession was not the only bad news of this recession. The GAO released its gloomiest assessment yet of the health of our banking system.

□ 1940

Almost 100 major banks will fail in the next 3 years at a cost of more than \$30 billion, with a "b," \$30 billion to pay off their depositors.

These are not just dry statistics. They are a symptom of an economy still struggling through a very profound and deep recession. And these statistics help to explain the deep frustration of America's middle class, frustrations of people whose lives are strained to the breaking point because they cannot make ends meet. And those who have not reached economic middle-class status, you can imagine the strain there. These are the issues that we have got to address in this Congress with a credible health care reform that can free our working families of the fear that sudden illness will wipe them out, with a tax relief for our people and a guarantee that the wealthiest citizens will pay their fair share to meet the Nation's needs.

We need to cut the taxes of the people who got zippo during the last 12 years, and that is most of America. People on the top did real well, the top 1 percent of America, people that have the incomes of \$300,000, \$400,000, \$500,000 a year. And there are a lot of them, 2.5 million of them did very well. After-tax income went up during the last decade 122 percent. The rest, the rest of us, flat or down. We paid for their good time.

It is called trickle down, but it never trickled down. It stayed on the top. It is a system of economics that is not fair, lacks substantial merit. We need to change that. We need a system of going up where we provide the working families in this country with a tax cut, put some money in their pockets, giv-

ing them the opportunity to pay off debt, to invest in their children's education or to buy the necessities that they have been denied for so many years. That is what we are going to do in this Congress.

We are going to provide the vast majority of families in this country with a tax cut, not the top, but those people who have been left out.

So if you are a person left out there, if you have been the ones were the tax bite has been the hardest, do not feel you have gotten any relief, we are going to put a bill on the floor that is going to pass. And we will send it to the President, and we are going to hope he is going to sign it because we need it. We need it to grow and to get out of this recession.

We did it during 1962, I believe, the Kennedy administration got this country moving ahead. We will do it for the right reasons, and we will do it for the right people.

We need to put money in their pockets, and it needs to be the engine of economic growth.

Madam Speaker, the time has come to focus our attention right at home in America. Of course, we want to respond with compassion and generosity to the needs of others. We have done that. We will always do that. We will take pride as Americans for doing it. But first we have got to take care of our own right here at home, and each week I intend to raise this issue of taking care of Americans, whether it is unemployment compensation benefits, whether it is rebuilding our roads and bridges and highways and putting 2 million people to work over 5 years, as we will do with the transportation bill when it comes to the floor later this fall, whether it is middle-income tax cuts for the people who have not got anything over the last 10 years, we are going to challenge the country, the President, my colleagues on this side of the aisle to step forward and start looking after Americans, start looking after the people that have been paying the bill, start looking after the constituents that send us here, start looking after those kids that do not have a proper education, do not have health care they deserve, do not have the immunization shots that they should have.

I ask my colleagues who are interested in these issues to join with me. Let us give the struggling republics in the Soviet Union something they can really use, they can really use, a lesson by example of a nation that can take care of itself.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ROBERTS) to revise and ex-

tend their remarks and include extraneous material:)

Mr. INHOFE, for 60 minutes, on September 16.

Mr. ROBERTS, for 5 minutes, today.

Mr. RIGGS, for 60 minutes, today.

Mr. SOLOMON, for 5 minutes, today.

Mr. MICHEL, for 5 minutes, today.

(The following Members (at the request of Mr. ESPY) to revise and extend their remarks and include extraneous material:)

Mr. FOLEY, for 5 minutes, today.

Mr. ECKART, for 5 minutes, today.

Mrs. LOWEY of New York, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. HARRIS, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. STALLINGS, for 5 minutes, today.

Mr. DELLUMS, for 60 minutes, today.

Mr. GONZALEZ, for 60 minutes each day, on September 16, 17, 19, 23, 26, 27, and 30, October 3 and 4.

Mr. HAYES of Illinois, for 60 minutes, on September 17.

(The following Member (at the request of Mr. DELLUMS) to revise and extend his remarks and include extraneous material:)

Mr. NEAL of Massachusetts, for 60 minutes, on September 30.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. ROBERTS) and to include extraneous matter:)

Mr. MACHTELY in two instances.

Mr. GALLEGLY.

Mr. DUNCAN.

Ms. ROS-LEHTINEN.

Mr. BAKER.

Mr. GALLO.

Mr. DAVIS.

Mr. SCHULZE.

Mr. ROTH.

(The following Members (at the request of Mr. ESPY) and to include extraneous matter:)

Mr. WEISS.

Mr. FASCELL in two instances.

Mr. FOGLIETTA.

Mr. GUARINI.

Mr. MCCURDY.

Mr. KILDEE in two instances.

Mr. BONIOR.

Mr. MILLER.

Mr. WYDEN.

Mr. LANTOS.

Mr. PENNY.

Mr. ACKERMAN in four instances.

Mr. DOWNEY.

Mr. HALL of Ohio.

Mr. STUDDS.

Mr. DINGELL.

Mr. TORRICELLI.

Mr. BRUCE.

ADJOURNMENT

Mr. BONIOR. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 46 minutes p.m.) under its previous order the House adjourned until Monday, September 16, 1991, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

2059. Under clause 2 of rule XXIV, a letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of September 1, 1991, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 102-139), was taken from the Speaker's table and referred to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONIOR. Committee on Rules. House Resolution 221; a resolution providing for the consideration of H.R. 3040, a bill to provide a program of Federal supplemental compensation, and for other purposes (Rept. 102-201). Referred to the House Calendar.

Mr. TORRES. Committee on Banking, Finance and Urban Affairs. H.R. 2654. A bill to require the clear and uniform disclosure by depository institutions of interest rates payable and fees assessable with respect to deposit accounts; with an amendment (Rept. 102-202). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GIBBONS (for himself, Mr. JENKINS, Mr. PEASE, Mr. SCHULZE, Mr. ANTHONY, Mr. COYNE, Mrs. JOHNSON of Connecticut, Mr. McEWEN, Mr. MOODY, Mrs. SCHROEDER, Mr. BILBRAY, Mr. FEIGHAN, and Mr. BUSTAMANTE):

H.R. 3313. A bill extending nondiscriminatory treatment (most-favored-nation treatment) to the products of Estonia, Latvia, and Lithuania, and for other purposes; to the Committee on Ways and Means.

By Mr. HOYER (for himself, Mr. DURBIN, Mr. FEIGHAN, Mr. RITTER, Mr. SLAUGHTER of New York, Mr. SKAGGS, Mr. WELDON, Mr. JONES of Georgia, Mr. LAUGHLIN, Mr. KLECZKA, Mr. SOLARZ, Mr. GALLO, Mr. HORTON, Mr. KYL, Mr. PENNY, Mr. BROOMFIELD, Mr. COX of Illinois, Mr. MOAKLEY, Mr. ENGEL, Mr. HOBSON, Mr. LENT, Mrs. MEYERS of Kansas, Mr. BILBRAY, Mr. SARFALIUS, Mr. GORDON, Mrs. MORELLA, Mr. PALLONE, Mr. VISCOSKY, Ms. NORTON, Mr. LEVIN of Michigan, Mr. McNULTY, Mr. HENRY, Mr. ECKART, Mr. MARTINEZ, Mr. FAWELL, Mr. EDWARDS of California, Mr. TORRES, Mr. FOGLIETTA, Mr. SMITH of Florida, and Mr. SCHEUER):

H.R. 3314. A bill to extend nondiscriminatory (most-favored-nation) treatment to

Estonia, Latvia, and Lithuania; to the Committee on Ways and Means.

By Mr. LANTOS:

H.R. 3315. A bill to amend the Federal Deposit Insurance Act to require consideration by the Federal Deposit Insurance Corporation and the Resolution Trust Corporation of the interests of the employees and former employees of depository institutions for which such corporation has been appointed conservator or receiver; to the Committee on Banking, Finance and Urban Affairs.

By Mr. EDWARDS of California:

H.R. 3316. A bill to amend title 18, United States Code, to authorize the Federal Bureau of Investigation to obtain certain telephone subscriber information; to the Committee on the Judiciary.

By Mr. BARNARD (for himself, Mr. HASTERT, Mr. NEAL of North Carolina, Mr. McMILLEN of Maryland, and Mr. RAY):

H.R. 3317. A bill to amend the Securities Exchange Act of 1934 to require disclosure of short positions of major short position holders, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. BENTLEY:

H.R. 3318. A bill to clarify and make uniform the maritime law of the United States with respect to the recovery and allocation of compensatory damages; to the Committee on the Judiciary.

By Mr. BRUCE (for himself, Ms. MOLINARI, Mr. BLAZ, Mr. JONTZ, Mr. ACKERMAN, Mr. BROWN, Mr. JACOBS, Mr. EWING, Mr. HUCKABY, Mr. CONDIT, Mr. ATKINS, and Mr. ANDREWS of Maine):

H.R. 3319. A bill to amend the Internal Revenue Code of 1986 to treat as sale proceeds of a residence amounts paid by the Secretary of Defense representing the reduction in the value of the residence on account of a military base closing; to the Committee on Ways and Means.

By Mr. KILDEE (for himself, Mr. FORD of Michigan, and Mr. GOODLING):

H.R. 3320. A bill to improve education for all students by restructuring the education system in the States; to the Committee on Education and Labor.

By Mr. CAMPBELL of California:

H.R. 3321. A bill to amend the Older Americans Act of 1965 to provide for State and area volunteer services coordinators; to the Committee on Education and Labor.

By Mr. CLAY:

H.R. 3322. A bill to designate the Wellston Station facility of the U.S. Postal Service in St. Louis, MO, as the "Gwen B. Giles Post Office Building"; to the Committee on Post Office and Civil Service.

By Mr. FRANK of Massachusetts:

H.R. 3323. A bill to amend the Public Health Service Act to provide that students of occupational therapy are eligible borrowers for purposes of the program established in title VII of such act for insuring loans for education in the health professions; to the Committee on Energy and Commerce.

By Mr. GALLEGLY:

H.R. 3324. A bill to amend the Internal Revenue Code of 1986 to provide that the entire 5-cent increase in motor fuels taxes enacted by the Revenue Reconciliation Act of 1990 shall be deposited into the Highway Trust Fund; to the Committee on Ways and Means.

By Mrs. KENNELLY:

H.R. 3325. A bill to allow Connecticut to permit certain recipients of aid to families with dependent children a one-time election to purchase capital equipment for a small business, to prohibit depreciation of such equipment, and to require that repayments

by such persons of the principal portion of small business loans be treated as business expenses for purposes of the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. MICHEL (for himself and Mr. COUGHLIN):

H.R. 3326. A bill to augment and clarify law enforcement agency roles in ordering aircraft to land and vessels to bring to, to enable improved money laundering investigations, to promote drug testing in Federal and State criminal justice systems, and for other law enforcement system improvements; jointly, to the Committees on the Judiciary, Public Works and Transportation, Merchant Marine and Fisheries, Ways and Means, Banking, Finance and Urban Affairs, Energy and Commerce, and Foreign Affairs.

By Mr. MONTGOMERY (for himself and Mr. RANGELL):

H.R. 3327. A bill to amend title 38, United States Code, to provide for the designation of an Assistant Secretary of the Department of Veterans Affairs as the Chief Minority Affairs Officer of the Department; to the Committee on Veterans' Affairs.

By Ms. OAKAR:

H.R. 3328. A bill to amend title II of the Social Security Act to provide for an increase of up to 10 in the number of years disregarded in determining average annual earnings on which benefit amounts are based upon a showing of preclusion from remunerative work during such years occasioned by need to provide child care or care to a chronically dependent relative; to the Committee on Ways and Means.

By Mr. REED (for himself, Mr. HAYES of Illinois, and Mrs. UNSOELD):

H.R. 3329. A bill to amend subpart 4 of part A of title IV of the Higher Education Act of 1965 to encourage more efficient and effective administration of the TRIO Programs by mandating a 5-year grant cycle; requiring adequate notice of the success or failure of grant applications; encouraging coordination among institutional, State, and Federal programs for disadvantaged students; strengthening early identification efforts; and continuing the authorization of appropriations for the programs; to the Committee on Education and Labor.

By Mr. ROBERTS:

H.R. 3330. A bill to improve the effectiveness of the provisions of the Agricultural Reconciliation Act of 1990; to the Committee on Agriculture.

By Mr. SCHULZE:

H.R. 3331. A bill to amend the Internal Revenue Code of 1986 to simplify the definitions of highly compensated employee and compensation for pension plan purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. SENSENBRENNER:

H.R. 3332. A bill to simplify the tariff classification of certain plastic flat goods; to the Committee on Ways and Means.

By Mr. STUDDS (for himself and Mr. YOUNG of Alaska):

H.R. 3333. A bill to provide congressional approval of the Governing International Fishery Agreements; to the Committee on Merchant Marine and Fisheries.

By Mr. WEISS:

H.R. 3334. A bill to amend the Higher Education Act of 1965 to provide Perkins Loan forgiveness to encourage individuals who enter the teaching profession to teach in schools serving low-income areas; to the Committee on Education and Labor.

By Mr. DYMALLY:

H.J. Res. 323. Joint resolution designating October 30, 1991, as "Refugee Day"; to the Committee on Post Office and Civil Service.

By Mr. HOBSON (for himself, Mr. CRANE, Mr. RITTER, Ms. LONG, Mr. JACOBS, and Mr. McCLOSKEY):

H.J. Res. 324. Joint resolution designating October 12, 1991, as "Centennial of Concrete Paving in America Day"; to the Committee on Post Office and Civil Service.

By Mr. BROOMFIELD (for himself, Mr. SMITH of New Jersey, Mr. ROHRBACHER, and Mr. WOLF):

H. Con. Res. 200. Concurrent resolution to recommend that the United Nations Security Council dispatch United Nations forces to the Republic of Croatia for the purpose of stopping the bloodshed there; to the Committee on Foreign Affairs.

By Mr. DYMALLY (for himself, and Mr. SMITH of New Jersey):

H. Con. Res. 201. Concurrent resolution expressing the sense of the Congress relating to the need for a Conference on Security, Stability, Development, and Cooperation in Africa and commending the Helsinki Commission for its leadership on this initiative; to the Committee on Foreign Affairs.

By Mr. GUARINI:

H. Con. Res. 202. Concurrent resolution expressing the sense of the Congress that the United States should not provide direct financial assistance to the Soviet Union until the Soviet Union ceases all of its direct economic and military support for the regime of Fidel Castro; to the Committee on Foreign Affairs.

By Mr. ESPY (for himself, Mr. CONYERS, Mr. CLAY, Mr. STOKES, Mr. DELLUMS, Mr. RANGEL, Mr. COLLINS of Illinois, Mr. FORD of Tennessee, Mr. DIXON, Mr. DYMALLY, Mr. SAVAGE, Mr. OWENS of New York, Mr. TOWNS, Mr. WHEAT, Mr. HAYES of Illinois, Mr. ESPY, Mr. FLAKE, Mr. LEWIS of Georgia, Mr. MFUME, Mr. PAYNE of New Jersey, Mr. WASHINGTON, Mr. COLLINS of Michigan, Mr. FRANKS of Connecticut, Mr. NORTON, Mr. JEFFERSON, and Mr. WATERS):

H. Res. 220. Resolution to honor accomplishments and express the appreciation for a dedicated career in public service of the Honorable William H. Gray III on the occasion of his resignation; considered and agreed to.

By Mr. PENNY:

H. Res. 222. Resolution expressing the sense of the House of Representatives that the President should provide agricultural export credit guarantees and technical assistance to the Soviet Union, the Baltic Nations, and the Soviet Republics to avert hunger and support economic, political, and social reforms there; jointly, to the Committees on Agriculture and Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. CAMP.
H.R. 62: Mr. SHAYS.
H.R. 75: Mr. GILCHREST.
H.R. 78: Mr. CONDOT.
H.R. 85: Mr. SOLOMON.
H.R. 123: Mr. WALSH, Mrs. JOHNSON of Connecticut, Mr. BENNETT, Mr. ROTH, Mr. BURTON of Indiana, Mr. CLINGER, Mr. SWETT, and Mr. SUNDQUIST.
H.R. 127: Mr. KYL, Mr. ESPY, Mr. FORD of Michigan, Ms. ROS-LEHTINEN, Mr. ORTON, Mr.

VENTO, Mr. COSTELLO, Mr. BOEHNER, Mr. LEVIN of Michigan, and Mr. ALLARD.

H.R. 200: Mr. AUCCOIN, Mr. RIGGS, and Mr. CARDIN.

H.R. 251: Mr. FOGLIETTA.

H.R. 252: Mr. SOLARZ, Mr. REED, Mr. BROWN, and Mr. JOHNSTON of Florida.

H.R. 255: Mr. SCHIFF, Mr. GLICKMAN, and Mr. ECKART.

H.R. 256: Mr. BARRETT, Mrs. VUCANOVICH, and Mr. GLICKMAN.

H.R. 281: Mr. MARTINEZ.

H.R. 288: Mr. SMITH of New Jersey, Mr. JOHNSTON of Florida, Mr. DERRICK, Mr. MOODY, Mr. OWENS of New York, and Mr. BILBRAY.

H.R. 310: Mr. STALLINGS.

H.R. 311: Mr. ANNUNZIO.

H.R. 318: Mr. OBERSTAR.

H.R. 413: Mr. BACCHUS, Mr. KOLBE, Mr. LENT, Mr. ROHRBACHER, Mr. ORTIZ, Mr. MINETA, Mr. OWENS of New York, Mr. COBLE, Mr. JACOBS, Mr. LEVIN of Michigan, Mr. DOWNEY, Mr. DANNEMEYER, Mr. FALEOMAVAEGA, Ms. OAKAR, Mr. WEISS, Mr. SCHEUER, Mr. CAMPBELL of California, Mr. MARLENEE, Mr. RAY, Mr. BRYANT, Mr. MARTIN, Mr. GOSS, Mr. MOLLOHAN, Mr. HOCHBRUECKNER, Mr. ANTHONY, Mr. HATCHER, and Mr. KOLTER.

H.R. 467: Mr. FRANK of Massachusetts, Mr. ACKERMAN, Ms. COLLINS of Michigan, Mr. EVANS, Mr. STUMP, Ms. NORTON, Mr. SCHIFF, Mr. LEWIS of California, Mr. MANTON, Mr. DERRICK, Mr. FALEOMAVAEGA, Mr. JENKINS, Mr. ATKINS, Mr. EMERSON, Mr. SPENCE, Mr. PAYNE of New Jersey, and Ms. PELOSI.

H.R. 504: Mr. JOHNSON of South Dakota.

H.R. 565: Mr. JAMES, Mr. GILCHREST, Mrs. PATTERSON, Mr. HALL of Texas, Mr. FEIGHAN, Mr. KANJORSKI, Mr. HOBSON, Mr. TAYLOR of Mississippi, and Mrs. MINK.

H.R. 710: Mr. OWENS of Utah and Mr. CRAMER.

H.R. 755: Ms. COLLINS of Michigan, Mr. UPTON, and Mr. SPRATT.

H.R. 791: Mr. ECKART.

H.R. 793: Mr. RAVENEL, Mrs. MINK, Mr. HAMILTON, Mr. ENGLISH, Mr. DOOLEY, Mr. MARKEY, Mr. VANDER JAGT, Mr. PURSELL, Mr. HOAGLAND, Mr. MARTINEZ, Mr. CLEMENT, Mr. SARPALIUS, Mr. DEFazio, Mr. WYDEN, Mr. SMITH of Oregon, Mr. BACCHUS, and Mrs. LLOYD.

H.R. 827: Mr. STUMP.

H.R. 829: Mr. BOUCHER.

H.R. 840: Mr. CRAMER, Ms. KAPTUR, and Mr. MURTHA.

H.R. 843: Mr. FAZIO, Mr. BROWN, Mr. MARTINEZ, and Mr. McMILLEN of Maryland.

H.R. 852: Mr. TORRES.

H.R. 856: Mr. ANNUNZIO.

H.R. 862: Mr. ALLARD.

H.R. 880: Mr. MCGRATH.

H.R. 886: Mr. HUCKABY.

H.R. 911: Mr. OWENS of New York, Mr. SOLOMON, Mr. BARNARD, Mr. MORAN, Mr. CLINGER, Mr. BILIRAKIS, Mr. TOWNS, Mr. PAYNE of Virginia, and Mr. JOHNSON of South Dakota.

H.R. 951: Mr. TOWNS, Mr. LOWERY of California, Mr. ANDREWS of Maine, Mr. LEWIS of California, Mr. ROE, and Mr. FAWELL.

H.R. 978: Mr. SWETT.

H.R. 1025: Mr. YOUNG of Florida.

H.R. 1063: Mr. VENTO, Mr. ORTON, and Mr. PAYNE of New Jersey.

H.R. 1076: Mr. BARNARD, Mr. SUNDQUIST, Mr. TOWNS, Mr. RIGGS, Mr. HORTON, Mr. GRANDY, Mr. McNULTY, Mr. VANDER JAGT, Mr. STAGGERS, and Mr. COSTELLO.

H.R. 1092: Mr. BENNETT and Mr. PAXON.

H.R. 1124: Mr. SCHIFF, Mr. GINGRICH, Mrs. LLOYD, Mr. EMERSON, and Mr. GEREN of Texas.

H.R. 1185: Mr. QUILLLEN.

H.R. 1190: Mr. McCLOSKEY and Mr. MCGRATH.

H.R. 1201: Mr. PERKINS and Mr. SIKORSKI.

H.R. 1218: Mr. COYNE, Mr. GEPHARDT, Mr. EDWARDS of Oklahoma, and Mr. PETRI.

H.R. 1239: Mr. LOWEY of New York.

H.R. 1240: Mr. PANETTA.

H.R. 1257: Mr. STEARNS.

H.R. 1277: Ms. PELOSI Mr. DOOLEY, Mr. WISE, Mr. REED, Mr. PETERSON of Florida, Mr. ATKINS, and Mr. MCDADE.

H.R. 1346: Mr. LARROCCA, Mr. WASHINGTON, Mr. FLAKE, and Mr. VISCLOSKEY.

H.R. 1360: Mr. DERRICK.

H.R. 1364: Mr. FORD of Tennessee.

H.R. 1405: Mr. WILSON.

H.R. 1414: Mr. REED.

H.R. 1433: Mr. MARLENEE.

H.R. 1447: Mr. HOAGLAND.

H.R. 1467: Mr. JACOBS, Mr. ANTHONY, Ms. SNOWE, and Mr. STUDDS.

H.R. 1468: Mr. GILCHREST.

H.R. 1473: Mr. MOLLOHAN, Mr. JOHNSON of South Dakota, and Mr. SIKORSKI.

H.R. 1481: Mr. WYLIE and Mr. MACHTLEY.

H.R. 1495: Mr. HEFNER, Mr. RICHARDSON, Mr. RAY, Mr. FASCELL, Mr. STARK, Mr. HORTON, and Mr. APLEGATE.

H.R. 1504: Mr. BORSKI.

H.R. 1516: Mr. WALKER, Mr. SKEEN, and Mr. CRAMER.

H.R. 1547: Mr. STUMP.

H.R. 1598: Mr. LAGOMARSINO, Mr. WHEAT, Mr. YOUNG of Florida, Mr. FORD of Tennessee, Mr. WOLF, Mr. TRAFICANT, Mr. INHOPE, Mr. LANCASTER, Mr. GALLO, Mrs. ROUKEMA, Ms. NORTON, Mr. PETERSON of Florida, Mr. RANGEL, Mr. IRELAND, Mr. TORRICELLI, Mr. DOWNEY, Mr. EMERSON, Mr. HUCKABY, Mr. JEFFERSON, Mr. PETRI, and Mr. BONIOR.

H.R. 1601: Mr. MACHTLEY.

H.R. 1608: Mr. WAXMAN, Mr. ECKART, Mr. GUARINI, Mr. DERRICK, Mr. BILBRAY, and Mr. FAWELL.

H.R. 1617: Mr. NEAL of North Carolina.

H.R. 1650: Mr. EDWARDS of Oklahoma.

H.R. 1662: Mr. ORTON.

H.R. 1663: Mrs. UNSOELD.

H.R. 1681: Mr. RANGEL, Mr. BATEMAN, Mr. DWYER of New Jersey, Mr. JONTZ, Ms. NORTON, Mr. MORAN, Mr. PAYNE of Virginia, and Mr. HORTON.

H.R. 1723: Mr. JEFFERSON.

H.R. 1733: Mr. VENTO, Mr. SLATTERY, Mr. STENHOLM, Mr. HAMILTON, Mr. GEREN of Texas, and Mr. SMITH of New Jersey.

H.R. 1771: Mr. BARNARD, Ms. DELAURO, Mr. DWYER of New Jersey, Mr. HAYES of Louisiana, Mr. LIVINGSTON, Mr. OBERSTAR, Ms. PELOSI, and Mr. VANDER JAGT.

H.R. 1856: Mr. PARKER, Mr. RAMSTAD, Mr. ESPY, Ms. PELOSI, and Mr. KENNEDY.

H.R. 1889: Mr. RAY.

H.R. 2041: Mr. GIBBONS.

H.R. 2063: Mr. VENTO, Mr. EMERSON, and Mr. CONYERS.

H.R. 2098: Mr. FEIGHAN.

H.R. 2215: Mr. ACKERMAN, Mr. GUARINI, Mr. HOYER, Mr. McNULTY, Mr. MRAZEK, Mr. ROE, Mr. STARK, and Mr. VENTO.

H.R. 2224: Mr. SANDERS, Mr. JONTZ, Mr. PETERSON of Minnesota, Mr. RANGEL, and Mr. HUNTER.

H.R. 2229: Mr. WISE.

H.R. 2336: Mr. FRANKS of Connecticut, Mr. OBERSTAR, Mr. RIGGS, Mr. FALEOMAVAEGA, Mr. BROWN, and Mr. COMBEST.

H.R. 2354: Mr. ATKINS.

H.R. 2374: Mr. MARKEY, Ms. DELAURO, Mr. RANGEL, Mr. KOSTMAYER, Mr. MILLER of California, Mr. STARK, Mr. TRAFICANT, Mr. RAHALL, and Mr. TRAXLER.

H.R. 2410: Mr. RAHALL, Ms. KAPTUR, and Mr. HANSEN.

H.R. 2416: Mr. KOSTMAYER.

H.R. 2451: Ms. DELAUNO, Mr. GEJDENSON, Mrs. LOWEY of New York, Mr. BROWN, and Mr. BUSTAMANTE.

H.R. 2452: Mr. WEISS.

H.R. 2455: Mr. ESPY.

H.R. 2464: Mr. BROWDER, Mr. BACCHUS, Mr. CALLAHAN, Mr. WILSON, and Mr. HANSEN.

H.R. 2470: Mr. POSHARD and Mr. ROTH.

H.R. 2493: Mr. BATEMAN.

H.R. 2530: Mr. MFUME.

H.R. 2534: Mr. PERKINS, Ms. SNOWE, Mr. TRAFICANT, Mr. HUBBARD, Mr. COYNE, Mr. GOODLING, Mr. RAHALL, Mr. TRAXLER, Mr. STAGGERS, Mr. GUNDERSON, Mr. KOLTER, Mr. OWENS of Utah, Mrs. MORELLA, Mr. SMITH of Florida, Mr. WISE, Mr. ORTON, Mr. GALLO, Mr. DICKS, Mr. SCHEUER, and Mrs. BOXER.

H.R. 2553: Mr. SMITH of New Jersey, Mr. FALOMAVAEGA, Mr. REGULA, Mr. CLINGER, Mr. HOUGHTON, Mr. WEBER, Mr. HENRY, Mr. UPTON, Mr. BARRETT, Mr. HYDE, Mrs. MORELLA, and Mr. MCCOLLUM.

H.R. 2561: Mr. JEFFERSON and Mr. BILBRAY.

H.R. 2598: Mr. BARNARD, Mr. LUKE, Mr. RHODES, Mr. MILLER of Washington, Mr. SHAYS, Mr. RAMSTAD, and Mr. SMITH of Oregon.

H.R. 2633: Mr. PETERSON of Florida, Mr. DANNEMEYER, Mr. HOCHBRUECKNER, Mr. GILCHREST, Mr. WALSH, and Mr. LIPINSKI.

H.R. 2695: Mr. MARTINEZ, Mr. DAVIS, Mr. CARPER, and Mrs. UNSOELD.

H.R. 2717: Mr. KOPETSKI, Mr. LEHMAN of Florida, and Mr. BONIOR.

H.R. 2746: Ms. KAPTUR, Mr. JONTZ, Mr. FALOMAVAEGA, and Mr. SCHEUER.

H.R. 2755: Ms. DELAUNO, Mr. BERMAN, Mr. WAXMAN, Mr. SCHEUER, Mr. SCHUMER, Mr. MARTINEZ, and Ms. PELOSI.

H.R. 2773: Mr. QUILLLEN, Mr. BARNARD, and Mr. KLECZKA.

H.R. 2840: Mr. SABO, Mr. FOGLIETTA, Mrs. LLOYD, and Mr. BUSTAMANTE.

H.R. 2881: Mr. DWYER of New Jersey, Mr. FASCELL, Mr. RINALDO, Mr. WEISS, and Mr. WELDON.

H.R. 2894: Mr. MORAN, Mr. ROE, and Mr. HORTON.

H.R. 2922: Mr. SIKORSKI, Mr. YATES, Ms. NORTON, Mr. TOWNS, Mr. EVANS, Mrs. BOXER, Mr. JEFFERSON, Mr. FROST, Mr. OWENS of Utah, Mr. TORRES, Mr. LANCASTER, Mr. STARK, Mr. BROWN, Mr. DWYER of New Jersey, Mr. WEISS, Mr. ROE, Mr. KILDEE, Mr. RANGEL, and Mrs. MORELLA.

H.R. 2943: Mr. CHAPMAN, Ms. NORTON, Mr. RANGEL, Mr. RIGGS, and Mr. VALENTINE.

H.R. 2946: Mr. JOHNSTON of Florida and Mr. QUILLLEN.

H.R. 2974: Mr. MORAN, Mr. GORDON, Mr. TOWNS, Mr. LIPINSKI, Mr. CHAPMAN, Ms. NORTON, Mr. TORRES, Mr. LANCASTER, Mr. KOPETSKI, and Mr. FROST.

H.R. 3002: Mr. EVANS, Mr. VENTO, and Mr. OWENS of Utah.

H.R. 3015: Mrs. LOWEY of New York and Mrs. MINK.

H.R. 3048: Mr. KYL and Mr. RANGEL.

H.R. 3062: Mr. BOEHNER and Mr. PURSELL.

H.R. 3070: Mr. ASPIN, Mr. BILBRAY, Mr. BRUCE, Mrs. BYRON, Mr. CAMPBELL of Colorado, Mr. DURBIN, Mr. EDWARDS of California, Mr. ESPY, Mr. EVANS, Mr. FASCELL, Mr. FOGLIETTA, Mr. FRANK of Massachusetts, Mr. GEJDENSON, Mr. GILLMOR, Mr. HARRIS, Mr. HUCKABY, Mr. HUGHES, Mr. JACOBS, Mr. KANJORSKI, Mr. KLECZKA, Mr. MARTINEZ, Mr. MCCLOSKEY, Mr. McMILLEN of Maryland, Mr. MILLER of California, Mrs. MINK, Mr. MOODY,

Ms. OAKAR, Mr. OBERSTAR, Ms. PELOSI, Mr. RAHALL, Mr. RINALDO, Mr. SANGMEISTER, Mrs. SCHROEDER, Mr. SKEEN, Ms. SLAUGHTER of New York, Mr. SMITH of New Jersey, Mr. SMITH of Florida, Mr. STALLINGS, Mr. THOMAS of Georgia, Mr. TORRES, Mr. WEISS, Mr. WILLIAMS, Mr. HALL of Ohio, Mr. LEHMAN of Florida, Mr. MATSUI, Mr. MONTGOMERY, Mr. SAWYER, Mr. STUDDS, Mr. YATES, and Mr. ROSE.

H.R. 3092: Mr. DORNAN of California and Mr. DANNEMEYER.

H.R. 3098: Mr. DE LUGO, Mr. WASHINGTON, Mr. COLEMAN of Texas, Mr. CUNNINGHAM, Mr. BILBRAY, Mr. TOWNS, Mr. HORTON, Mr. MFUME, Mrs. BOXER, Mr. BROWN, Mr. BERMAN, Mr. RANGEL, Ms. NORTON, Mr. LANCASTER, and Mr. MCNULTY.

H.R. 3105: Mr. SERRANO and Mr. MARTINEZ.

H.R. 3128: Mr. GINGRICH, Mr. ROE, Mr. PALLONE, Mr. TALLON, Mr. BOEHNER, Mr. SKEEN, Mr. RIGGS, Mr. UPTON, Mr. LOWERY of California, Mr. GOSS, Mr. DICKINSON, Mr. MYERS of Indiana, Mr. IRELAND, and Mr. RINALDO.

H.R. 3130: Mr. FIELDS and Mr. GOSS.

H.R. 3152: Mr. HEFLEY.

H.R. 3171: Mr. MARKEY.

H.R. 3172: Mr. GINGRICH, Mr. WEBER, Mr. PACKARD, and Mr. EVANS.

H.R. 3192: Mr. ALLARD.

H.R. 3195: Mr. FALOMAVAEGA.

H.R. 3211: Mr. KILDEE, Mr. WOLPE, Mr. FRANK of Massachusetts, Mr. PENNY, Mr. BROWN, Mr. WASHINGTON, Mr. DE LUGO, Mr. PERKINS, and Mr. HUGHES.

H.R. 3231: Mr. ESPY, Mr. COSTELLO, Mr. YATES, Ms. KAPTUR, and Mr. MCCLOSKEY.

H.R. 3236: Mr. LIPINSKI, Mr. TORRES, and Mr. SANDERS.

H.R. 3280: Mr. OWENS of New York, Mr. LEHMAN of Florida, Mr. MCHUGH, Mr. RANGEL, Mr. MARTINEZ, Mr. GUARINI, Mr. MAZZOLI, Mr. HUGHES, Ms. PELOSI, and Mr. EDWARDS of California.

H.R. 3281: Mr. FROST and Ms. PELOSI.

H.R. 3286: Mr. MRAZEK, Mr. HORTON, Mr. ABERCROMBIE, Mr. MCNULTY, Mr. DELLUMS, Mr. BILBRAY, and Mrs. VUCANOVICH.

H.R. 3311: Mr. LEWIS of Florida and Mr. DORNAN of California.

H.J. Res. 14: Mr. LOWERY of California and Mr. DOOLITTLE.

H.J. Res. 223: Mr. MOORHEAD.

H.J. Res. 233: Mr. SHARP and Mr. HOCHBRUECKNER.

H.J. Res. 235: Mr. KANJORSKI and Mr. SHAYS.

H.J. Res. 241: Mr. ENGEL, Mr. GEKAS, Mrs. MEYERS of Kansas, Mr. ORTON, Mrs. PATTERSON, Mr. ROSE, Mr. ROTH, Mr. SANDERS, Mr. SAVAGE, Mr. SHARP, Mr. SISISKY, Mr. SLAUGHTER of Virginia, and Mr. TRAFICANT.

H.J. Res. 244: Mr. KANJORSKI, Mr. KOPETSKI, Mr. LAGOMARSINO, Mr. MARKEY, Mr. MANTON, Mr. PAYNE of Virginia, Ms. PELOSI, Mr. PRICE, Ms. SLAUGHTER of New York, Mr. SMITH of Florida, Mr. SMITH of New Jersey, Mr. STOKES, Mr. VANDER JAGT, Mr. WALSH, Mr. WASHINGTON, Mr. WAXMAN, Mr. WEISS, Mr. WOLF, Mr. WYLIE, and Mr. YATRON.

H.J. Res. 253: Mr. SHAYS, Mr. LUKE, Mr. FIELDS, Mr. NAGLE, Mr. WYLIE, Mr. RITTER, Mr. ROHRBACHER, and Mr. QUILLLEN.

H.J. Res. 274: Mr. ANDERSON, Mrs. BOXER, Mr. CARPER, Mr. COBLE, Mr. FASCELL, Mr. GONZALEZ, Mr. KILDEE, Mr. MILLER of Washington, Mr. MINETA, Mr. RANGEL, Mr. SISISKY, and Mr. VENTO.

H.J. Res. 284: Mr. FASCELL, Mr. NATCHER, Mr. HAYES of Louisiana, Mr. MCDERMOTT,

Mr. NEAL of North Carolina, Mr. WOLPE, Mr. LAFALCE, Mr. MURTHA, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. BRUCE, Mr. JONTZ, Mr. LEVINE of California, Mr. CARR, Mr. CHANDLER, and Mr. COLEMAN of Texas.

H.J. Res. 294: Mr. HAMMERSCHMIDT, Mr. DARDEN, Mr. WALSH, Mr. SMITH of Iowa, Mr. PERKINS, Mr. KENNEDY, Mr. STENHOLM, Mr. BOEHLERT, Mr. GONZALEZ, Mr. HASTERT, and Mr. MARTINEZ.

H.J. Res. 302: Mr. PENNY and Mr. MCDERMOTT.

H.J. Res. 305: Mr. HUBBARD, Mr. HUCKABY, Mr. HYDE, Mr. INHOFE, Mr. JOHNSON of South Dakota, Mr. JOHNSTON of Florida, Mr. JONES of Georgia, Ms. KAPTUR, Mr. KENNEDY, Mrs. KENNELLY, Mr. LEWIS of Georgia, Mr. LIGHTFOOT, Mrs. LOWEY of New York, Mr. MCCOLLUM, Mr. MCDADE, Mr. MCHUGH, Mr. MATSUI, Mr. MAZZOLI, Mr. MFUME, Mr. MILLER of Washington, Mrs. MINK, Mr. MOODY, Mr. NOWAK, Mr. OBEY, Mr. OLIN, Mr. ORTIZ, Mr. PACKARD, Mr. PALLONE, Mr. PARKER, Mr. PANNETTA, Mr. PETERSON of Florida, Mr. PICKLE, Mr. RANGEL, Mr. RHODES, Mr. ROEMER, Mr. SABO, Mr. SANGMEISTER, Mr. SARPALIS, Mr. SHAW, Mr. ASPIN, Mr. KLECZKA, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ANDREWS of Texas, Mr. ANNUNZIO, Mr. ATKINS, Mr. BERMAN, Mr. BORSKI, Mr. BOUCHER, Mrs. BOXER, Mrs. BYRON, Mr. CAMPBELL of Colorado, Mr. CARPER, Mr. CARR, Mrs. COLLINS of Illinois, Mr. COX of California, Mr. CRANE, Mr. DEFazio, Mr. DELAY, Mr. DE LUGO, Mr. DONNELLY, Mr. DORGAN of North Dakota, Mr. DURBIN, Mr. FAZIO, Mr. GEJDENSON, Mr. GEKAS, Mr. GEPHARDT, Mr. GEREN of Texas, Mr. GIBBONS, Mr. GLICKMAN, Mr. GOSS, Mr. HEFNER, Mr. HERGER, Mr. HERTEL, Mr. HOAGLAND, Mr. HORTON, Mr. HOYER, Mr. SHUSTER, Mr. SKAGGS, Mr. SKEEN, Ms. SLAUGHTER of New York, Mr. SOLOMON, Mr. SPRATT, Mr. STAGGERS, Mr. STENHOLM, Mr. STOKES, Mr. SWETT, Mr. SWIFT, Mr. SYNAR, Mr. TAYLOR of North Carolina, Mr. THORNTON, Mr. VISCLOSKEY, Mr. WALKER, Mr. WASHINGTON, Mr. WAXMAN, Mr. WEBER, Mr. WHEAT, Mr. WILSON, Mr. WISE, Mr. YOUNG of Alaska, Mr. OBERSTAR, and Mr. VALENTINE.

H.J. Res. 316: Mr. SMITH of Texas, Mr. GONZALEZ, Mr. GEKAS, Mr. JONES of North Carolina, Ms. HORN, Mr. FAZIO, Mr. TOWNS, Mr. SKEEN, Mr. STOKES, Mr. MRAZEK, Mr. FOGLIETTA, Mr. MCDERMOTT, Mr. VANDER JAGT, Mr. FUSTER, Mr. DEFazio, Mr. HORTON, Mrs. ROUKEMA, Mr. ROE, Ms. PELOSI, and Ms. NORTON.

H. Con. Res. 65: Mr. REED and Mr. MCCLOSKEY.

H. Con. Res. 69: Mr. VOLKMER.

H. Con. Res. 163: Mr. BONIOR, Mr. CARDIN, Mr. FALOMAVAEGA, and Ms. DELAUNO.

H. Con. Res. 198: Mr. SANDERS, Mr. CHAPMAN, Mr. TRAFICANT, Mr. HUCKABY, Mr. DEFazio, Mr. CLINGER, Mr. MCNULTY, Mr. MILLER of Ohio, and Mr. APPELEGATE.

H. Res. 107: Mr. FAWELL, Mr. SCHIFF, Mr. MCNULTY, Mr. SAXTON, Mr. BURTON of Indiana, Mr. KOSTMAYER, Mr. McMILLAN of North Carolina, Mr. BEVILL, Ms. SNOWE, Mr. IRELAND, Mr. GUNDERSON, Mr. SISISKY, Mr. BEREUTER, Mr. MARTINEZ, Mr. MARTIN, Mr. SMITH of New Jersey, Mr. FALOMAVAEGA, Mr. EMERSON, Mr. HANCOCK, Mr. JONTZ, Mr. VALENTINE, Mr. MYERS of Indiana, and Mr. RHODES.

H. Res. 204: Mr. KOLTER, Mr. TOWNS, Mrs. VUCANOVICH, Mr. BILIRAKIS, Mr. APPELEGATE, Mr. MARLENEE, Mr. GINGRICH, and Mr. RANGEL.

SENATE—Thursday, September 12, 1991

(Legislative day of Tuesday, September 10, 1991)

The Senate met at 9:20 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. The prayer will be led today by a guest chaplain, Father Paul G. Wynants, chaplain, Fairfax Hospital, Falls Church, VA.

Father Wynants, please.

PRAYER

The Reverend Father Paul G. Wynants, chaplain, Fairfax Hospital in care of St. Ambrose Catholic Church, Annandale, VA, offered the following prayer:

Let us pray:

We have returned from the summer recess after meeting with our own people in our own States. We have seen the successes of the people and their failures. We have heard their laughter and seen the tears of frustration. We witnessed the good in people, our own people, and we experienced the harshness of some, brother against brother, sister against sister, parent against child, and child against parent. Mindful of our own poverty and aware of these facts, we pray to You, Lord:

LORD

When I am hungry,
Give me someone in need of food.
When I am thirsty,
Send me someone needing a drink.
When I am cold,
Send me someone to warm.
When I am grieved,
Offer me someone to console.
When my cross grows heavy,
Let me share another's cross, too.
When I am poor,
Lead me to someone in need.
When I have no time,
Give me someone I can help a little while.
When I am humiliated,
Let me have someone to praise.
When I am disheartened,
Send me someone to cheer.
When I need people's understanding,
Give me someone who needs mine.
When I need to be looked after,
Send me someone to care for.
When I think only of myself,
Draw my thoughts to another.
Amen, and I mean it, Lord!

OUR GUEST CHAPLAIN

Mr. BAUCUS. Mr. President, I rise to give recognition to our guest chaplain, Father Paul G. Wynants, on attaining his 40th anniversary of ordination as a Catholic priest in the congregation of the Immaculate Heart of Mary.

Father Wynants, was born August 2, 1925, in Heverlee, Belgium. He entered the congregation in 1944, was ordained a priest on July 29, 1951, and left his native Belgium for missionary work in our United States on December 7, 1953. He has served throughout the United States. In 1975, he was appointed director of vocations for the U.S. Province and rector of the Missionhurst Religious Community. Currently, he is the Catholic chaplain at Fairfax Hospital in Virginia and has personally attended the needs of some of my staff.

The past 40 years of dedication by Father Wynants to strengthening the moral fabric of our Nation, is reflective of our forefathers, who like the good Father, came to this land in order to deepen their love for God and to search for a deeper meaning to life.

Today, many of his friends gather here in this Senate Chamber to express their appreciation for the hard work and dedication Father Wynants has shown for the improvement of his fellow man. His opening prayer is a true reflection of this commitment and I am pleased to have the opportunity to say thanks for your many years of service to our country and your fellow man.

RESERVATION OF LEADERSHIP TIME

The PRESIDENT pro tempore. Under the previous order the leadership time has been reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order there will now be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m. with Senators permitted to speak therein.

The Senator from New Jersey [Mr. BRADLEY] is permitted to speak, by previous order, up to 20 minutes, and the Chair recognizes Mr. BRADLEY for 20 minutes.

HIGHER EDUCATION SELF RELIANCE SCHOLARSHIP

Mr. BRADLEY. Mr. President, I add as cosponsors to S. 1562, the Higher Education Self Reliance Scholarship Proposal, the following Senators: BINGAMAN, DASCHLE, CONRAD, SANFORD, LIEBERMAN, ROBB, REID, and CRANSTON.

Thomas Jefferson once wrote "If a Nation expects to be ignorant and free

*** it expects what never was and never will be."

Yet every day in America there are people who, because they do not earn enough money, cannot get a college education commensurate with their ability. To help them get a better chance, today I propose self-reliance scholarships available to all Americans up to the age of 50.

A New Jerseyan recently wrote me the following letter.

The letter states:

When it was time for me to apply to college in the late 1970's my choice of college was practically unlimited because of the comprehensive Federal financial aid programs which were in place. *** Today my youngest sister who is now 18 years old, finds herself in a very different situation. My sister has been forced to apply to colleges based on finances rather than her considerable academic ability. Her choices were severely curtailed by my parents' modest, middle-class income and the fact that she is the last remaining dependent child in their home. Even though my parents are "better off" than in the 1970's, my sister does not even have the same opportunity I had fourteen years ago.

A letter from a New Jerseyan.

This family's story is not unusual. It is happening all across America. But the tragedy is bigger than the individual family. It is a national tragedy of America shooting itself in the foot while stiff international competition; of America choosing not to realize its human potential; of America, because of inaction, endangering its conviction about a better tomorrow.

America has always been about the future. We were founded out of the spirit of the enlightenment—a belief that man could order his world so that freedom led to improvement of ones physical circumstances and intellectual capacities. The Founders were educated men; one was even the president of the Pennsylvania philosophical society. They believed that education was the key to unlock the future's treasure. It is no coincidence that Jefferson listed as his two proudest accomplishments: Virginia's freedom of religion law, and the founding of the University of Virginia.

Over our history the appreciation for the importance of formal education fused with an awareness of the value of practical experience. The story of the frontier was about learning how to survive in and tame a wilderness. Those who were respected were those who knew things. Over the horizon there was always the promise of a new life for those who were ready to explore the unknown.

* This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

The waves of immigration also shaped our optimism about the future and our respect for education. When people arrived in America from all over the world the first thing they had to do to advance was learn—a new language, a new culture, new laws. Learning the formalities of language, or the folkways of the streets provided the means to a better life. The virtues of Ben Franklin, the ideas of Jefferson, and the ethos of deferred gratification—all gave them a new identity: American. An identity they had chosen.

But for most of Americans education ended long before college. The factories of the 19th century valued hard work and punctuality over intelligence. The workers weren't expected to grow intellectually, they were expected to perform—to take orders and physical risks for a paycheck with which they could help their families. What they did on their own was up to them but work was not a place for a seminar.

After World War I with the advent of a mass culture—the automobile, the radio, advertising, mass circulation magazines—people began to know more about more places. Working as a back-drop to our national development was still the ethos of self-government. Dale Carnegie, Horatio Alger, and countless others reminded Americans that through education they could "every day in every way *** get better and better." Still, higher education was the experience of very few Americans.

World War II changed all that with the passage of the GI bill, one of the most important pieces of legislation in American history. With veterans filling the student ranks, the number of college students nearly doubled. The result was the most talented work force in the world and a broad recognition of and support for higher education. State legislatures, alumni, even the Federal Government began to invest in higher education. After sputnik the commitment intensified. By 1970 enrollment doubled again to about 9 million students.

My story—small town boy, small high school, goes to college far away, alters life path, shapes one's sense of possibility—happened over and over again all across America.

College became more than a privilege. Some argued it should be a right. Families, many without a college grad, often middle class, came increasingly to see its value and to recognize without it, life chances diminished.

Then just as more and more American families came to see the importance of college and develop the expectation that their children had to go to college to have a better life, college costs skyrocketed and assistance from the Federal Government failed to keep pace.

In the 1980's, college costs increased by 50 percent in real terms while Federal funds for college assistance in-

creased 25 percent. In addition, eligibility requirements tightened. Nearly 500,000 students lost eligibility for college loans in the last decade.

Middle income families—remember 85 percent of Americans earn under \$50,000—the backbone of America, beset by the cost of living, have begun to be extremely worried about the future. During the last 12 years, health care costs, energy costs, housing costs, interest rates all have skyrocketed. Taxes, especially property taxes, leapt up. Paychecks did not keep up. Mom entered the work force. Two incomes generated just enough to pay off some debt, or go on a little vacation, or pay for child care, or keep the house from being foreclosed, or take care of grandmother. Things got a little better, but the costs kept going up. Only oil prices have dropped in the last decade. Everything else has kept going up. Financial pressure increased. The kids were now in the eighth grade. College was in sight. Parents began to ask how would they pay for it. Stress increased. Financial pressure began to build again and in some cases desperation set in.

Last February, 35 percent of New Jersey parents believed their kids would have a lower standard of living than they have. Last month that number jumped to 51 percent.

I believe one of the key causes of this desperation is the fact that the promise of higher education is drifting further and further away from the reach of hardworking families who get little from government but pay most of its costs.

I say it is about time we helped them help themselves. Out of the \$135 billion that America pays for higher education, the Federal Government spends only \$25 billion. We should do more. We have to relieve the financial pressure that middle-income parents experience as they try and often fail to send their children to college.

We also have to recognize that the desire and need for a college education is changing too. No longer is it just 18-year-olds. There are the 28-year-olds who have worked for a decade out of high school only to realize that escaping a dead end job requires more education, new skills such as computer, engineering, language, design. Then there are mothers who have raised their kids, yearn for independence and more income and are now 35, 38 and want to go back to college. Then there are companies who need to find a way to constantly upgrade the skills of their work force and see the community college structure as an untapped resource for cooperation and development. All of these groups deserve an opportunity to go to college if they have the ability. Income should not be a barrier to achievement or the realization of one's potential.

Right now the only help Government gives is through grants to families

under about \$25,000 and loans to families under about \$40,000 to \$45,000. These grants and loans are rarely enough and are good only for kids going to college out of high school. They are not useful for the 28-year-old worker, the mother who wants a college education or the employee whom the company wants to retrain.

What we need is something that builds on the virtues of independence and hard work and gives everyone a chance to increase their life chances by going to college.

In a highly competitive international work force where quality and skills are the only resources that matter, higher education cannot be a luxury. It cannot be a luxury for our economy and it cannot be a luxury for individuals with ability. We have to recognize that all of us are better off with a better educated work force. All of our living standards will rise.

Parents and students may not be familiar with this statistic, but they sense it from their own experience. A college graduate will earn about 60 percent more than someone with just a high school diploma. A college degree is worth as much as \$500,000 over a lifetime. Our economy rewards college graduates because we need their skills.

Self-reliance scholarships harness the value of a college education—the 60 percent higher salary, the \$500,000—to get over the hurdle of paying for it. Students' own earning potential, not what their parents happen to earn, would open the door to whatever colleges they could get into. Students whose families earned too little to pay a State college tuition would not be turned away. Students whose families might earn a little too much to get aid under current programs would not be turned away.

Self-reliance scholarships would give anyone—anyone—up to age 50, as much as \$33,000 for higher education, in exchange for a commitment to pay a percentage of their income to an education trust fund for a specified number of years. The percentage and length of commitment would be flexible. If you took out \$10,000, for example, you could sign a contract to pay back about 1½ percent of your income for the next 25 years. Or you could agree to pay a little more, say 2½ percent of your income, and pay off your obligation a little faster, in 15 years.

There would also be a ceiling and a floor on repayments, so that no graduate could avoid paying his or her fair share, and graduates fortunate enough to earn very high incomes would not be penalized for success. A typical student who borrowed \$10,000 and agreed to pay back 1½ percent of income for 25 years would pay no less than \$477 in the first year and no more than \$1,083.

I have developed self-reliance scholarships because the current Federal student loan and grant programs do

not meet all the needs of today's students. First, those sources of funds are shrinking in relative terms while the cost of tuition is rising. The Bush administration's answer has been to narrow eligibility for Pell grants to families earning less than \$10,000. While low-income Americans deserve more help, they are not the only families that need help with tuition at today's prices. Trying to choose between the have-nots and the have-not-enoughs reflects a failure of imagination about the value of higher education. It is no choice at all. It is like the choice Secretary of Education Lamar Alexander suggests to parents who cannot pay for college. He says, choose a cheaper college. It is time for some fresh thinking about how to pay for college.

Self-reliance scholarships solve this problem by giving everyone a new option. Some students will use them to finance their entire education. The average public education cost in the country is \$5,000 a year, for example. Some might use family savings to pay for four-fifths of the cost, and self-reliance scholarships for the rest. Some might use them to pay for the difference between the college they really dream of attending and the one they would have to settle for under the current system. Some students will combine self-reliance scholarships with other grants and loans currently available. The only thing that all of them have in common is that all of these students will pay back their self-reliance scholarships obligation in full.

That goes to the second big problem with the current system—the default rate. Students graduate with loan burdens that they simply cannot pay with their starting salaries. So they default. Defaults on guaranteed student loans will cost more than \$2 billion this year. About 13 to 15 percent of those who have them default. But with the self-reliance scholarships geared to the ability to pay, the student owes a percent of his or her income to the education trust fund, and because the payments would be deducted from income and collected through the IRS, there would be no way to avoid repayment. With guaranteed student loans, the taxpayer pays for the interest before graduation, the defaults, and administrative costs—\$1.4 billion to banks last year. But self-reliance scholarships are direct loans with no subsidy to banks and virtually no defaults. Yet they cover all the costs of the program. Within 15 years the whole system would pay for itself. America would have a permanent educational trust fund available to help pay college education.

The third problem with the current system as I have said is that it does not meet the needs of nontraditional students. Working Americans need to continually upgrade their skills to get ahead in their jobs and to keep up with

changing technology and job requirements. But there is very little help available to independent, nontraditional students. Self-reliance scholarships are the perfect option for such students, who usually have a good sense of just how much more they are going to earn with a better education. Finally, companies who wanted workers retrained in specific areas could encourage the use of self-reliance scholarships by covering part of the worker's payment obligation over the 15 or 20 years.

The self-reliance scholarship will require an initial investment to get started before it begins to pay for itself. That pool of starting capital will be paid for, in my proposal, by selling Treasury bonds and by a temporary 10-percent surtax on millionaires.

I hope that the wealthiest Americans will see the importance of making this investment in kids with ability, and in turn, making an investment in the future of the American economy. The surtax would be temporary—only until the fund becomes self-financing and all Americans regardless of income would be eligible for this scholarship.

I have been very gratified by the response to the self-reliance scholarship proposal. I have talked about it with families in their homes; I have talked about it with students this spring at high school and college graduations; I have talked to colleagues both in the Senate and the House. From everyone, I have heard the same thing: This is an idea whose time has come. Tuitions are skyrocketing. Aid is shrinking. Self-reliance is the answer.

Mr. President, for the United States to remain the No. 1 economic power in the world, we have to be ready for jobs that involve computers, information, numbers, and intense creativity. We have to demand more from students, but we also have to promise more. We have to promise that if you work hard, if you have ability, if you believe in yourself, and if you can get into college, you will be able to go. Self-reliance scholarships will help young people realize that promise by relying on themselves.

The PRESIDING OFFICER (Mr. ROBB). The Chair recognizes the Senator from North Carolina, Senator SANFORD.

Under the previous order, the Senator is recognized for up to 10 minutes.

SELF-RELIANCE SCHOLARSHIPS

Mr. SANFORD. Mr. President, I certainly want to commend the distinguished Senator from New Jersey [Mr. BRADLEY] for bringing this idea, now, to us in the form of legislation. Several of us in the university world some years ago attempted this and it worked very well. The trouble was, no one could find the adequate capital for the front money while we, I think, at

Duke, put several hundred thousand dollars into it to see if it would work. There was not any way to carry it forward. And I think the experience there, the experience that John Silber has written about, the experience at Yale, will be instructive as to how we might get this started as a practical matter. And I commend my colleague for doing this.

UNIVERSITY VALUES: THE AGE OF THE PEOPLE

Mr. SANFORD. Mr. President, on October 12, 1987, I spoke of our relationship with the Soviet Union, our unique challenge to lead the world toward freedom. Events of the last 4 years make me even more convinced of our need to lift up our eyes to the hopes of the people of the world.

For that reason, I ask unanimous consent that this statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNIVERSITY VALUES: THE AGE OF THE PEOPLE (University Day Address, the University of North Carolina at Chapel Hill, October 12, 1987, Senator Terry Sanford)

Honored recipients of the Distinguished Alumnus Awards, Chancellor Christopher Fordham, distinguished faculty and trustees, alumni and students: You honor me by inviting me to take part in University Day at my Alma Mater, the University of North Carolina at Chapel Hill.

As I often do, and I do especially on this University Day, I refresh myself by recalling what I learned at Chapel Hill.

Reflecting on almost 200 years of a Chapel Hill tradition of intellectual freedom and development, Chancellor William B. Aycock reminded us in 1960: "History does not record a single successful effort to fix or freeze knowledge or beliefs. A university must provide an environment in which diversity, controversy and tolerance prevail." That is the theme of what I want to say today.

What we learned at Chapel Hill was not chemistry and economics and mathematics. Those were the instruments of learning. We learned, we absorbed, with Frank Porter Graham as our master teacher, that solid tradition, those hopes of this University born of the beginning of a new nation, values this great University continues to nourish—freedom and liberty and tolerance, the search for truth, the defense of dignity, courage to arrive freely at convictions, and the personal courage to stand for those hopes and truths. These values are not part of the curriculum; they are the undergirding strengths of democracy and free people, sustained in part by the dedication of the universities of a free people. Our old University at Chapel Hill has always understood that duty to humanity.

Freedom. Liberty. Individual rights. It is these words that we celebrate today and every time we set foot on this campus. This is the vocabulary of our strength. While this legacy is enormously complex, it is also simple. It holds that men and women who are free of oppression will do some extraordinary things. They can and they will govern themselves. They can and they will find ways to care for the weak and respect the strong.

They can and they will convert ideals into pragmatism.

The minds and energies of free people are infinitely powerful. We have yet to measure that power around the world because it has yet to be unleashed around the world. Our own nation and our history are memorials to its potential. But think for a moment of a world in which the liberties that we enjoy were everywhere, when others were not necessarily duplicating our exact model or structure, but finding, as most people yearn to find, our tradition, our scope, our value of humanity, our sense of people free from oppression, free to think, to move, to act, to create without the repressive hand of power. The prospect of universal freedom is so dazzling that we will only allow ourselves to consider it in a moment of suspended disbelief. Its creativity would be so irresistible that we could rationally aspire to the solution of poverty, hunger, conflict, disease, illiteracy, hopelessness.

But, of course, that time is not here. Two-thirds of the world is still in bivouac, not yet marching toward the goal of freedom. My concern, on this University Day, in this domicile of freedom, is that we as a nation do not quite believe freedom can be, or perhaps should be, a worldwide goal. That is to say, we do not believe in ourselves. We seem dismayed that the Iron Curtain countries are talking of more freedom.

I have come here from a place that you have sent me, where leaders in authority spend more money on armed forces than any other time or place in history, where leaders in authority send a gigantic armada to protect oil that was not in danger, where leaders in authority are so afraid of our traditional foe—the foe of communism, a system terribly flawed and weak—so afraid that they have been struck timid and unsure.

Is there no courage left? Has our faith in the great strength of America been lost? Instead of confidence and vision, we see bombast and epitaphs. Instead of initiative and encouragement, we see wailing and wringing of hands. The slogans, "Russians always lie," and "You can't trust the Russians" may or may not be true, but such phrases are the ready refuge for the weak of heart. Is there no one willing to stand up to the Soviets on our grounds, not theirs, relying on our strengths, not theirs, willing to bring our weapons to the area, instead of theirs? Is there no leader in authority strong to say, "We are too strong to fear the Russians"?

That question is more important today than ever before, for history will record that we are at the end of an era; at the beginning of a new one.

The swing in the world is toward freedom and democracy. Will and Ariel Durant have divided history into the Age of Reason, the Age of Napoleon, the Age of Faith, and other ages. Now, we ought to be coming into "The Age of the People."

That era has been long anticipated in Chapel Hill. Getting ready for the age of the people is what the University has been doing since the beginning.

It takes no courage to brandish arms as our first line of national initiative. It takes no courage to point missiles and sail warships and fly aircraft as our first response to national challenge. It takes no courage to beat up on a little nation of two and a half million people. It takes no courage to curse the darkness. We are simply not being faithful to our legacy. We are playing another team's game while our real power waits on the bench.

Certainly we must have military arms. Certainly they must be the best we can

make, although they don't have to be as many as we can make. Certainly we need enough arms to make attacking us unthinkable.

Adequate arms serve a critical purpose, but they didn't create us. Ideas did. George Washington's armies got the British out of our hair, but George Washington's Constitutional Convention in Philadelphia set us free.

Strong, muscular ideas founded this nation, have protected it, and will sustain it. Powerful, irrefutable ideals are our contribution to our world. They are found in the books that students on this campus take to class. They are found most indelibly in the Constitution that we have all celebrated this summer. They are found in our lives. They are found in the dreams of people everywhere.

Now we are in a new period. The evidence is very clear. Changes will be profound. There is a historic window in the events of the world. Our belief in ourselves will be severely tested.

The great Soviet socialist experiment has failed. The time for a move to freedom, to open societies, to individual rights and opportunities, to people, is at hand. We, oddly enough, do not want to believe it has failed.

For the past forty years our relations with the world have been dominated by our attitude toward the Soviet Union. For the most part those policies have been successful. With our arms and our allies, we have prevented the Soviet Union from achieving its earlier goal of world domination. Far from attending our funeral, as Khrushchev predicted, they have seen us stand our ground, and we have prevailed. It is clear that in the Soviet Union today, there is a tacit admission that communism has not worked.

It has not failed because our military might has defeated them.

It has not failed because our military might has intimidated them.

It has failed because our idea is better than their idea.

Our idea is the idea of a free people. It is the idea of a confident people.

Soviet leader Mikhail Gorbachev has received great attention for two initiatives: "Perestroika," or restructuring, and "Glasnost," or openness. They are a call for innovation in the marketplace. They are a call for freedom beyond anything previously permitted. The Soviet Union has had to admit defeat. They don't use that word but, in effect, the Soviets and the East Europeans are saying, "We've fallen way behind. We are not competitive. We must borrow lessons from the West. There must be something to the idea of strength from freedom."

The implications of those admissions cannot be overestimated. What are the alternatives for a Soviet government that finds itself behind? There is only one rational answer. Amazingly they are grasping it. It is more freedom for its people. Freedom is the salt of creativity and the Soviets have begun to realize that creativity is the way for its people to compete economically. They have seen it work on their western border in Europe and they are watching it beginning to work on their eastern border in China. Farther to the east, there is the colossus of Japan, whose brilliant successes have come full grown from a democratic system that we designed.

With glasnost and perestroika, the Soviets are taking the first, cautious steps in a direction that is unfamiliar to them. They have had to try to turn our way. In doing so, they are creating an unparalleled oppor-

tunity for us. We can continue to face off the Soviet Union, or we can help it ease into the world economic community on terms we accept as beneficial for world society. We can help them find their own way to become a freer and safer nation. If we persist, or assist, in the Soviet failure, we will have helped throw that nation in reverse. The hard-line conservatives will replace Gorbachev. The chance to have a "worthy adversary" will have been lost. Eastern Europe will become a place of dangerous turmoil. We will be back in the old game on the Soviet terms, not in a new game on our terms. Civilization will be the loser.

Freedom's moment of opportunity is not created by the Soviet Union alone. In the Pacific, rising democracy prevails. In Europe, it dominates. In Eastern Europe they are jolting toward it. In South America, it is being tried. In Central America, it has a rare chance. Africa has heard the call.

Freedom's success depends on the United States. Shall we be its friend or foe as freedom cautiously gets a breath of air in places where it has long been stifled?

It is time for us to abandon our fears. It is time for us to use our strength, to set the agenda for the future of the world. It is time for us to be a leader, not a combative, fearful participant. We can't trust the communists, they say. We can't trust the Sandinistas, they say. Consequently, they say, we must resist the Russian perestroika and glasnost, and must thwart the peace plan of the Central American presidents. We must understand that we are strong enough to credit them with good faith, and yet save the day if our trust is badly placed.

Our military preparation has been the driving force of our foreign policy. It should be the other way around. Our leaders in authority have put the caisson before the horse. We need to declare our directions and ideals in foreign policy. We need to quit being afraid. We need to stand strong in the world, brave because our ideals and our idea of free people is a mighty sword. We must have a courageous, not a fearful, United States foreign policy.

We cannot let ourselves be overwhelmed by the fear of Russia—our values have already defeated that system—and the paranoia that has understandably existed is no longer justified.

America is not a nation of weaklings. We are strong enough to take the risk. We are strong enough to accept Chairman Gorbachev in good faith. This is an unsure path, for him. We need to be helpful and reassuring. We are not weaklings.

This is a painful political shift. We must suddenly learn that we cannot deal with the problem by simply calling names, raising fears, and building greater arsenals. There is no reason for Americans to be afraid of the Soviet Union. Why is it so hard for us to understand the tremendous strength that we have, and that they do not? Why is it that we cannot understand that freedom accepted anywhere in the world strengthens us? We have had to conclude that wars could no longer be absorbed and tolerated so somehow had to be abolished. The Soviet Union has had to conclude the same. Now the Soviet Union also has concluded that they can never be a first-rate nation without freedom for people and enterprise.

I noted in the beginning that personal courage was something learned here and to be celebrated on University Day. It takes courage to change. It takes courage just to have faith in our ideals. It is a new era. It is time for courage, time for a new foreign pol-

icy, one founded on confidence, not fear. The United States must be the leader. There is no other.

The promise and prospect of universal freedom is dazzling. Oppressed and benighted people around the world wait for bravery in America. The role for the University is apparent: To change the climate of fear, to make ready young people to participate, to lead, as we move to what surely in future centuries will be known as the beginning of "The Age of the People."

I thank my University.

THE PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. SANFORD. I thank the Chair.

(The remarks of Mr. SANFORD pertaining to the introduction of S.J. Res. 193 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that I be allowed to speak in morning business for no more than 3 minutes.

THE PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut is recognized.

SELF-RELIANT SCHOLARSHIPS

Mr. LIEBERMAN. I thank the Chair and I thank the Senator from Georgia for yielding me these moments before he goes forward. I wanted to take this opportunity briefly to rise and congratulate our colleague from New Jersey, Senator BRADLEY, and to associate myself with him in support of this simple but brilliant idea for self-reliant scholarships.

Mr. President, this is the breath of fresh air, the helping hand that middle-class America desperately needs today. If we look at an income curve in our country, we will see some are doing very well, and those at the top with higher income, and there are obviously some at the bottom and not doing very well. The mass of the people are the middle class. They pay most of the taxes and do most of the work that keeps our society going. Increasingly, they are squeezed and they are wondering what we in Washington are doing to help them go on with their lives without a sense of being overburdened. They are squeezed by ever-rising taxes; they are squeezed by dramatically increasing health care costs; and they are squeezed and pressured mercilessly by the never-ending increases in the cost of higher education, putting out of reach for too many middle-class Americans the dream that so many work for, which is to educate their kids, send them to college so they can do better than their parents' generation has done.

The average cost of a college education today is over \$11,000. A lot of colleges are a lot more than that.

People in America, the middle class and the lower-income folks need help,

and this idea is the way to do it. It is a simple idea. One can borrow up to \$10,000 a year from the Federal Government regardless of income, and that is a way to finally open up again the doors of aid to the middle class who have been shut out.

Today, most guaranteed student loans go to families that make less than \$30,000 a year. Pell grants basically go to families that make less than \$10,000 a year. The middle class is not being helped. This is the way to do it: \$10,000 a year in loans from the Federal Government regardless of income and an automatic obligation to repay those loans on a percentage basis payroll deduction carried out by the Internal Revenue Service; dramatically reducing, I am sure, the rate of default; increasing the rate of payment and letting the student pay back that bill on a percentage basis in proportion to his income.

So I think Senator BRADLEY has a great idea. I am proud to join him as a cosponsor, and I hope that we can adopt this proposal in the next several months so that by the time parents have to face that awful moment of writing a check for tuition to college that the Federal Government will be there to help them, regardless of income, to make that dream come true.

I thank the Chair. I thank my colleague from Georgia, and I yield the floor.

THE PRESIDING OFFICER. Under the previous order, the Senator from Georgia is recognized for up to 20 minutes.

DOUG GEORGE—A DEDICATED INTELLIGENCE OFFICER AND VALUABLE SENATE STAFF MEMBER

Mr. NUNN. I thank the Chair. Mr. President, this past weekend the Nation lost a dedicated public servant, and the Senate and the Armed Services Committee lost a valuable staff member. Doug George, a senior member of the Armed Services Committee staff and a former intelligence official with a distinguished career in the U.S. intelligence community, died at his home last Friday evening after a courageous fight with cancer.

Doug joined the Armed Services Committee staff a little over a year ago. When he came to the committee, we knew that we were getting a seasoned professional in the fields of arms control and U.S. intelligence. Over the past year, Doug played a key role in the committee's oversight of Operation Desert Shield and Desert Storm. He played a key role in our continuing work on the CFE and START treaties; on command and control of the nuclear arsenals of the United States and the Soviet Union; and on the reorganization of the U.S. intelligence community. Doug was tireless in providing the members of the Armed Services Com-

mittee with his views and his professional assessment of these issues. He drew on the broad experience he gained in the field of intelligence analysis and management.

Before Doug joined the Armed Services Committee staff, he served almost 25 years in the U.S. intelligence community. He rose from the position of analyst to become one of the senior members of the U.S. intelligence community staff. In his last assignment before coming to the committee staff, Doug was deputy director of the intelligence community staff for requirements and evaluation, where he worked directly with the Director of Central Intelligence and other top intelligence officials in the Government. In recent years, Doug regularly testified before the congressional intelligence oversight committees on weapons proliferation, arms control, and intelligence community operations.

In the mid-1980's, Doug served as the chief of the arms control intelligence staff and the executive secretary of the CIA's Steering Group on Monitoring Strategic Arms Limitations. As the CIA's most senior specialist and executive on arms control issues, Doug played a key role in several United States-Soviet summit meetings, including the Reykjavik summit.

I first got to know Doug during the debate on the SALT II Treaty. At the time, Doug was serving in the CIA's Office of Scientific and Weapons Research, and was an expert in the Soviet Union's nuclear capability. During that debate Doug gained a wide reputation from all who dealt with him, for his absolute honesty and total integrity that became the hallmark of his career as an intelligence official. In all of the years I have worked with Doug, I never knew him to ever hesitate to give his own objective analysis of a particular issue or problem, and he never let his analysis be swayed by partisan or political considerations.

No matter where the pressure came from for Doug to in any way tilt his assessment, he never yielded 1 inch from what he believed to be his professional judgment. He did that with a tremendous amount of integrity, and he did it at times when I knew there was a great deal of pressure on him.

The quality of Doug's work was recognized throughout the U.S. intelligence community. He had a well-deserved reputation as a strong and active manager with a positive attitude and an ability to get things done. As a result, he received a number of awards and citations from the intelligence community, culminating in 1987 with the prestigious Distinguished Intelligence Medal.

Mr. President, Doug George's distinguished career in the service of our Nation's intelligence community is a matter of public record. All of us appreciate his service to the country, and

we are grateful for the privilege of having known and worked with him closely.

But people should also know that Doug's demeanor and his spirit in the last months of his life were an inspiration to those who observed and those who were close to him.

Doug faced his disease with determination and courage. After his cancer was diagnosed in April, he continued to carry out his responsibilities to our committee, often in spite of terrific physical pain. He remained involved in our committee's work even in the last days before his death, and I was told yesterday by a senior member of the staff that he was discussing conference issues in their last conversion the day before his death.

Mr. President, I know all of my colleagues join me in offering our condolences to Doug's wife, Kathryn. Kathryn has had an outstanding career in her own right, and she has been a great partner to Doug.

In a letter to me this week, Gen. Colin Powell, the Chairman of the Joint Chiefs of Staff, described Doug very well. General Powell wrote:

The many officers of the Joint Staff and in the field who worked with Doug knew him to be a wise and thoughtful man of uncompromising integrity and patriotism whose goal was always to do the "right thing" for America.

Mr. President, Doug George was a true professional and a public servant of great integrity. He always did the right thing for America. Those of us who knew him will miss him, but we will remember him.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia [Mr. WARNER].

DEATH OF DOUG GEORGE

Mr. WARNER. Mr. President, I join the distinguished chairman of the Armed Services Committee, and the two of us are speaking on behalf of all members of our committee and, indeed, the majority and minority staff, in wishing to express our deepest sympathy to the family of Doug George, especially his wife Kathryn, friends, and colleagues.

Doug passed away last Friday night. He was truly a valued member of the Senate Armed Services Committee staff. He was also a professional intelligence officer in the finest sense of that profession. Members of the Armed Services Committee first came to know Doug when he served as the CIA's top arms control specialist, providing members and staff with briefings and testimony on important verification topics. He impressed us as objective, knowledgeable, and always a very hardworking, conscientious individual.

In 1987, Doug was promoted to deputy director of the intelligence community

staff, with responsibility to determine the requirements and set the direction of the U.S. intelligence community. He performed admirably in this position, and for his work he was awarded the Distinguished Intelligence Medal, the Nation's highest intelligence award.

Doug joined the staff of the Armed Services Committee in 1990 as a member of the majority to work on arms control and intelligence matters. But despite his membership on the majority, which is a hallmark of the members of our staff. There is very little, if any, partisanship whatsoever, especially as it relates to arms control and intelligence matters.

During his time on the committee, he provided an invaluable service to members on both sides of the aisle in a wide variety of issues. He was always available, and I stress always available, despite, as the chairman said, in his declining days, he fought courageously against his illness right up to the end to be of service to the members and to join with other staff members. He was willing to work with both at all times.

Doug brought to the Armed Services Committee the knowledge and experience of a senior intelligence and arms control specialist, and he was hardworking, energetic, considerate, and helpful. He dedicated his work throughout his life to service to our Nation. We shall miss him particularly in the months and years to come when the very issues on which he had such a great expertise and a reputation for credibility come up. He will be missed as we address these problems.

I thank the Chair and yield the floor.

DOUG GEORGE

Mr. BOREN. Mr. President, this past Friday, September 6, 1991, Mr. Doug George, a valued staff member of the Senate Armed Services Committee, a friend of the Senate Intelligence Committee, and a seasoned intelligence professional passed away. His untimely death is a loss not only to close family members, friends, and colleagues, but to the entire Nation.

As chairman of the Senate Intelligence Committee, I came to know Doug George over the last several years as a hardworking and objective professional intelligence officer.

While still in the executive branch, he supported the Intelligence Committee with energy and determination—first as director of the arms control intelligence staff and then as deputy director for the intelligence community staff. His counsel was both thoughtful and prudent, and greatly valued by our members.

Doug subsequently joined the Senate Armed Services Committee, where he focused on a variety of important issues—arms control, nuclear security, the Persian Gulf, and the organization

and management of the intelligence community. He maintained a solid working relationship with the Intelligence Committee—always willing to share his thoughts and insights.

Over the course of his career, Doug was the recipient of several awards and honors, including the Distinguished Intelligence Medal, the DCI Meritorious Officer Award, the DCI Distinguished Officer Award, and the Intelligence Medal of Merit.

We will remember Doug as a consummate professional. Even during difficult periods of his illness, he continued to work on issues that he believed to be vital to the Nation.

Doug is survived by his wife, Katherine. On behalf of the members of the Intelligence Committee and our staff, I wish to express my condolences to her. We will all miss Doug George.

Mr. WARNER. Mr. President, I suggest the absence of a quorum.

The assistant legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LIEBERMAN). Without objection, it is so ordered.

Under the previous order, the Senator from Tennessee is permitted to speak for up to 20 minutes.

Mr. GORE. I thank the Chair.

THE SOVIET UNION

Mr. GORE. Mr. President, I rise this morning to comment on recent developments in the former Soviet Union and to make some proposals for how our policy ought to be modified in light of these recent revolutionary developments.

If, last year, the cold war came to an end, then this year, the government and philosophy that gave birth to the cold war have also come to an end.

Ahead of us is the possibility of a great prize. We could see a large part of the Eurasian continent organized on the assumption of peace rather than in the constant expectation of war. We could see an immense new region extending through Eastern Europe and on into all the vast territories of the former Soviet Union, open for investment and for trade. We could see American security interests essentially unthreatened in the Atlantic or the Pacific. We could see a world open for competition without conquest and for cooperation without domination.

But we do not have an unlimited amount of time for sunny contemplation. In fact that time is over now. Because the alternative future is one of decomposing international order; of murderous tribalism inheriting the debris of empire; of the failure of democracy in the eyes of those who now see it as their last best hope, and of the emergence in its place of a new philosophy based on resentment, racial hatred, and state power.

Events are not only moving at great speed for the Soviet Union, but for ourselves as well. Of course it is a mistake to overestimate our ability to influence these events. But it could be a much greater mistake to underestimate the impact our actions can have, especially in these early and formative periods of the change underway. While our policies need to be realistic, they also need to be timely. Moreover, while all of us will admit that prudence is important, there are moments when a little risk taking is in order, considering the high-stakes payoff from success.

Reduced to its essence, what has happened in Moscow as a result of the meeting of the Congress of Peoples' Deputies last week is: an appearance of due process and continuity has been sustained, as the Congress voted to sanction the modified plan devised earlier by Gorbachev, Yeltsin, and other leaders of the Republics there. What now exists however, is a rump, interim governmental structure charged with two tasks: to prevent chaos and calamity, while at the same time preparing a new charter for what is presumably a permanent new form of government.

In effect, President Gorbachev at the head of his new State Council, will be flying by the seat of his pants in totally uncharted territory. His greatest source of power will be the fear of what might happen if he fails. The consequences can be so severe as to override the normal jealousy, turf building, and idealistic excess that will work to prevent the level of cooperation needed to avoid economic disaster, civil wars in various places, and a collapse of recognizable authority.

Insofar as all there exists in place of the former Soviet Union is an interim government, which is in a race against time to arrange for its own demise by orderly means, U.S. policy must in that sense also be interim. And yet, our every move can have long-term influence. An ability to make our moves with the long-term consequences in mind is what will make the difference between ad hoc improvisation and long-sighted moves in a dicey period.

On economic aid, or in the area of vital international agreements including arms control, the West in general and the United States in particular will be forced to ask some tough, blunt questions of those who are contending for power in the Soviet Union, all of them variants of the same issue—for purposes of dealing with the outside world, who is in charge?

In this new polity what does a governmental signature imply? What is the process of ratification for agreements? How secure is ratification as the interim government gives way to its successor? What about Republican claims to sovereign control: of the right to print new money; of disposition of old Soviet debt or future

U.S.S.R. debt or new debt taken on by governments of the Republics? What about the Republics' claims to control all natural resources within their borders? What about their claims to control of military assets within their borders? There are presently no guides and no reliable answers to any of these questions and many more like them.

So the West faces a dilemma. We could stand by and wait until the U.S.S.R. sorts out all of this at whatever pace they can manage. But that kind of passivity might allow opportunities to perish and it could encourage outcomes to struggles over these issues within the U.S.S.R. that are much less favorable to Western interests than might otherwise have been the case. A middle course exists, and that is we can be ready to act fast, prepare ourselves to do so, but also set the terms under which we are ready to proceed and make those terms clear. We had better start thinking hard and fast about just exactly what our agenda is if we get the right answers to these questions back from the U.S.S.R.

Let me apply these general concerns and observations to a few specific issues: security cooperation and economic cooperation. I'll start with security, making special reference to the new situation in arms control. Some people think this subject is dead—overtaken by changes in military forces that are driven by economics and politics much faster than diplomacy can handle. That, in my view, is extremely short sighted. We need agreements to help place ceilings on forces that reflect mutually accepted logic. These are safeguards against reversal of trends working in our favor. Arms control may be different in the future, but it is still the one way in which military force is subject to the discipline of international reasoning and agreement.

It seems to me that any agreement now in force must be considered to be still so, on grounds of the law establishing the new Soviet interim government—a law which explicitly says that the old Union's international obligations will be honored by the interim government.

Agreements that have been signed but not yet ratified are a more interesting case. Start with the CFE agreement. That treaty has provisions that apply to some Soviet Republics that are attaining sovereignty. The Baltic States, for example. Maybe Moldavia—and an independent Moldavia might just be an interim step toward union with Romania—and maybe Georgia, we don't know.

For simplicity, let's restrict this discussion to the Baltics as an illustrative case. If they gain complete control of their air space, territory, and territorial waters—which is now expected—a qualitatively new situation exists as regards CFE. It would be necessary for

them to formally adhere to the treaty, and in the process to define their own security arrangements. Will they have armed forces of their own? Will those forces be subject to equipment ceilings as are the Armed Forces of Poland, for example? Will there be a residual Soviet military presence in the Baltics? It appears not. But in that case, who is the guarantor of provisions in the CFE Treaty that are concerned with forces in the Baltics? Looking to the future, the case for naval arms control of some sort needs to be reexamined in light of the independence of the Baltic States, particularly, if they acquire full military control of their territories including both airspace and territorial waters.

Then there are the Republics of the Ukraine and Byelorussia whose territories fall into the so-called CFE extended zone. The extended zone used to cover the Warsaw Pact states and four Soviet military districts in the former Soviet Union: the Baltic, Byelorussian, Carpathian, and Kiev military districts. The Soviet portion of that zone originally amounted to an area in which Soviet heavy equipment, that is battle tanks, armored troop carriers, aircraft and helicopters, was limited by the terms of the treaty, but in which this equipment could be moved around as suited the central government.

When the treaty was negotiated, Republican borders cutting across the CFE zone meant nothing. Now, however, these borders mean some very serious things: if these Republics secure control of armed forces within their territories, or if they decide to set up forces of their own that have treaty-limited equipment. And they certainly could mean something in terms of access and freedom of movement for on-site verification.

Should the Senate put this treaty on hold for a few years? Should it just ratify and hope for the best? Or should it ratify on the proviso that we receive certain assurances: for example, the central government that emerges there is sole guarantor of the treaty's terms; that all Republics concerned not only acknowledge this but give up, as formal, constitutional matters, any claim on their part to powers that would enable them to prevent the treaty from operating properly; and that if any Republic subsequently repudiates these terms, the agreement as a whole is null and void for the United States. These questions must be resolved before the Senate can determine now to proceed with this pending, signed, but unratified treaties.

Believe me, if the Senate puts these questions to the interim government in the territory of the former Soviet Union, it will be a defining moment. The Republics will realize that by interfering with the entry into force of the CFE agreement, they can damage their own efforts to build independent

political and economic ties not only with the West but with Eastern Europe. On the other hand, the answer they give to these questions represents a number of fundamental precedents as to the powers of the Republics vis-a-vis whatever new central government emerges after this interim government in the realm of military forces.

There are similar questions ahead for START. And, in the event of a chemical weapons agreement, an even more intensified issue relating to the challenge inspection of civilian production facilities where the rights and responsibilities of Republican governments would clearly need to be defined.

Finally, there is the question of follow-on negotiations, whether relating to conventional forces or strategic forces, or perhaps a successor to the INF talks, to deal with remaining theater nuclear systems.

Although my reactions to much of what is going on in the former Soviet Union tend to be cautious, in the area of nuclear doctrine and policy, I believe it is time to think boldly, and I would like to share a few propositions that I am reflecting upon.

First of all, the START Treaty recently concluded but not yet brought before this body does not require the destruction of ballistic missiles or nuclear warheads withdrawn from service. While that is certainly not grounds to prevent ratification of the treaty, circumstances have changed in a way that ought to make us see this matter as a major piece of unfinished business: perhaps the basis for an urgent protocol to the treaty after it is in force.

This, in my view, Mr. President, is an extremely serious matter. It is not in our interest to have a treaty which simply removes missiles from their silos and leaves them stacked in warehouses under the control of who knows what authority. The terms have changed. The circumstances have changed. We should not prevent ratification of START because of this concern. In my view, however, we should insist on the speedy pursuit of a protocol to this treaty dealing with the destruction of the missiles withdrawn from the arsenals of both sides and the destruction of the warheads. Ironically, it was apparently at our insistence, our side's insistence, that we were not able to go farther during the negotiations. But again, things have changed and I believe the Senate ought to insist and proceed on this new protocol.

Just before going into summer recess, the Senate debated changes to U.S. policy on SDI which at one extreme would cause us to abrogate the ABM Treaty if we could not radically alter it through negotiations. In light of what has taken place since then, it seems to me that we ought to do nothing that would place pressure on a major existing security agreement.

In the mid-to-longer term, nuclear doctrine should shift from support of

limited nuclear war options requiring large numbers of warheads for an extended target base to mutual deterrence based on declared policies of no first use, and aimed at assured ability to retaliate rather than at supplementing conventional forces.

This implies very major reductions of forces on both sides. Single warhead missiles and mobility emerge as part of the deterrent force for the year 2000. Tactical nuclear weapons that are ground based, for example, artillery, need to be removed from Europe under negotiated terms. Again, the circumstances have changed.

Moving to another topic, if this is not the time for a total test ban including underground testing—and it might well be the time to ban such tests—it is certainly time for a major reduction in yields and numbers of such tests. Overall, a scaled down nuclear weapons establishment should be designed to support this reduced emphasis on nuclear forces.

Again, let us understand that this situation has changed. The test site where the Soviet Union has exploded their weapons underground is in Kazakhstan. The Government of the Republic of Kazakhstan has said, "No more." And they mean it. The popular movement there—they chose the name Nevada for their movement, has prevented any tests for the last 2 years. The alternative site in Novaya Zemlya in the territory of the Russian Republic, was available, hasn't been used recently, but now apparently will not be used in the future. So we face a situation where it is extremely likely that the Soviet Union has a de-facto unilateral ban on any further nuclear underground tests. How do we respond? How should we respond?

Now, I do not believe that on these points I just mentioned, we need to hurry into full-scale negotiations of any new agreements. The issue of who is in charge needs to be settled first. And it would certainly be a risk to enter full negotiations with an interim government whose guaranties might or might not be picked up by its successor. However, we can and should push the Soviet and Republic governments to give us sensible answers to the "who is in charge" issue. And we also have to face up to what our own agenda is: we should move into dialog, and we must establish the range of what we are prepared to put on the table.

In the area of economic assistance, we will face comparable issues.

Different Western players will have different inclinations. The Germans want to move fast. However, they may have exhausted their own means to lend to the U.S.S.R. and so be unable to act unilaterally. I suspect that the U.S. Government will in the end have a very heavy influence on what actually happens. In my view, we should be ready to move on an expedited basis,

but only after we push for and get responses to "who's in charge," and responses incidentally, that meet our own requirements as we have clearly defined them.

The self-absorption of the Republics is understandable, but an extreme luxury given their present circumstances. Insofar as their individual and collective well-being depends critically upon their ability to integrate themselves into the world economy, the requirements of that integration must become major elements of the internal Soviet debate at every level. The West needs to lean hard on this aspect of the new debate and the new reality that the Soviet and Republic leaders there face.

But there are also very hard questions for us to answer.

Surely we will extend ourselves to help the Soviet Union avoid a winter of deep misery. This is not only humane but wise policy, very much in our own self interest. But where are the funds? To find them, are we going to have to break the budget agreement? Could we find ourselves unable to act decisively because we cannot manage our own domestic politics because we have no leadership from the White House?

One view is that the only source for a sizable emergency fund for Soviet relief is the defense budget. Congressman LES ASPIN wants to make a billion dollars available to the President for emergency supplies, probably to be transported by the U.S. military. Our colleague, Senator NUNN, seems to be considering a comparable sum—for the purpose of promoting Soviet conversion of defense production to civilian production.

The issue illustrated by these contrasting proposals is how to pick the time and scale of our responses when confronted by strategic opportunities: that is, in the case of the Aspin proposal, to succor the peoples of the U.S.S.R. and work against chaos, and in the case of the Nunn proposal, how to help the U.S.S.R., or perhaps the Russian Republic's, economy through a profound change.

But these considerations are, in turn, dealing with matters on a necessarily smaller scale than will be required eventually if we really want to facilitate structural changes in the Soviet economy. And it is at this level that the issue of who's in charge, and the question of what are we ready to do intersect.

Not long ago, the IMF and the World Bank issued a joint study on the question of Soviet economic conversion and entry into the world trading system, and in particular, the role of the IMF in making that possible. For the near term, Soviet associate membership in the IMF—and possibly associate membership for the Republics as well—may be exactly what is needed. Associate membership opens the expertise of the IMF to a government, but does not entitle it to draw on IMF resources.

But the IMF's experts will say that membership requires a real budget planning process; full autonomy of enterprises; real market driven prices, and currency convertibility. Whoever declares themselves to be in charge of the former Soviet Union's economic life must be able to make and carry out policies along these lines. But they will also point out that such policies cannot be carried out without external financial assistance from the IMF and from other countries on a bilateral basis.

At that point, the ball is back in our court—meaning that it will be up to the United States, the European Community and the Japanese to respond. One answer is a grand bargain of some sort, perhaps along the lines worked out by experts at Harvard earlier this summer. The grand bargain was in effect a step-by-step correlation of what the Soviets needed to do in order to get from where they were to where they say they want to be—a market-driven economy—and the external financial help that would be needed at each stage to make that process workable.

It emphatically was not a massive give away of vast sums of money. But it did underscore the need for Western readiness to commit substantial amounts over a period of several years. If the Soviets or their successors cannot get their act cleaned up we would be out of our minds to lend them such sums of money. But if we are not ready to lend, then there might be insufficient incentive for them to get their act cleaned up. Real leadership and some risk taking is needed on both sides of that equation. Neither side can afford to sit back and wait for the other to make all the moves.

Mr. President, I would like to conclude with the following observation.

As the century nears its conclusion, it is open season on political organization. Nation states that jealously guarded their independence in Europe are apparently moving toward ever deeper union. Multinational polities such as the Soviet Union, are disaggregating to their constituent ethnic parts—to nation states or post national entities roughly approximating nation states.

But in the midst of all this change, I think there is a visible general theme: people are in search of political relations based upon the consent of the governed—whether that leads them toward or away from centralized forms of organization. And they are looking, to be a little more precise, for new equilibria—appropriate to themselves and to their circumstances—between freedom and its creative power, and the need for order and predictability in societal relationships.

That search is the core of our own history as a nation. Twice before in this century, we have gone to war to oppose efforts by others to impose no-

tions of world order based on ossified concepts of permanence. Now, what we shed blood for is actually happening. But it is happening at a time when there are temptations for us to step back and leave these events to others and to fate. This is not the moment to do that. If leadership does not come from us, it will come from nowhere else. This is the moment of truth for American statecraft, and it is for American political leadership to step forward.

I hope that President Bush will meet that challenge. I hope that those of us in this body, as we look at the treaties now pending for ratification and at the various proposals for how we might accelerate the transition inside the former Soviet Union to a market-driven economy will also meet that challenge.

This is a period, to say the least, of great turmoil for the former Soviet Union. I might say that early in our history, at the conclusion of our own Revolutionary War, we had a distrust and hostility toward centralized authority that was every bit as strong as what we now see expressed by the peoples of the former Soviet Union. As we designed our new government, we first of all, devolved as much power as we possibly could to the States, and before we arrived at the U.S. Constitution we lived for a decade or so under the Articles of Confederation. The flaw in that first attempt by Americans to arrive at a new social compact, was that is disbursed too much power to the States and reserved too little to the central government.

When the Constitutional Convention convened, its purpose was to "form a more perfect union." The words as they were understood then, conveyed a meaning that stood in apposition to the mistakes learned during the period we were ruled under the Articles of Confederation. It may well be that if some of the Republics which made up the former Soviet Union ever do recombine into a new political entity it will be only after they have learned for themselves out of their own political experience that there is such a thing as giving too much power to the Republics and reserving too little for a central government in spite of one's antipathy for statism and centralized power.

Of course, their historical experience is so completely different, the degree of homogeneity among their peoples and the various cultures and traditions in the former Soviet Union makes it most unlikely that they will travel that route. But it is quite possible that some of those Republics will travel a course not dissimilar from the one that we have traveled.

In any event, the odds that they will be successful at arriving at self-determination based on the consent of the governed, a free market economy, re-

spect for individual rights, and the freedoms which Thomas Jefferson said in our Declaration were not just for the United States but properly the birth-right of all human beings, the odds of them being successful in achieving those dreams will be enhanced by decisions we have to make in this Chamber and that the Government of the United States as a whole has to make very quickly.

BUSH ADMINISTRATION ENDORSES PAPERWORK REDUCTION ACT

Mr. KASTEN. Mr. President, I rise today to announce to the Senate that the Bush administration has endorsed the effort to reauthorize the Office of Information and Regulatory Affairs—or OIRA—through the enactment of S. 1139, the Paperwork Reduction Act of 1991, introduced by myself, Senator SAM NUNN and Senator DALE BUMPERS.

S. 1139 seeks to enhance OIRA's role in reducing the paperwork and regulatory burdens imposed on the individuals, small businesses, research institutions, and nonprofit organizations.

Our bill enjoys the broad bipartisan support from both Democrats and Republicans. With the Bush administration's support, I believe that small businesses and the American public will finally get some relief from the Government's incessant need for more paper.

I ask unanimous consent that letters from myself and several Senators urging the administration's support for S. 1139 as well as the letter of endorsement from Vice President DAN QUAYLE be printed in the RECORD immediately following my remarks.

The being no objection, the letters were ordered to be printed in the RECORD, as follows:

SENATE REPUBLICAN CONFERENCE,
OFFICE OF THE SECRETARY,
July 17, 1991.

THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are writing to urge your support for S. 1139, the "Paperwork Reduction Act of 1991".

S. 1139 provides you with the opportunity to legislatively reaffirm your commitment to restraining the growth of Government paperwork burdens on the public and to curbing the natural proclivities of Government agencies to issue more and more regulations.

This bill makes an unequivocal statement in support of your principles regarding restraining unwarranted Governmental burdens on the public. It enjoys strong support within the business community, especially the small business community. It addresses concerns consistently expressed by State and local governments and the educational and non-profit communities.

S. 1139 enjoys strong bipartisan support within the Senate, being sponsored by Sam Nunn, the senior Democrat on the Governmental Affairs Committee as well as the Small Business Committee, with Dale Bumpers, Chairman of the Small Business Committee as one of the principal Democratic

cosponsors. The bill is gradually gathering cosponsorships by many of the Democratic members who supported the 1980 legislation sponsored by Lawton Chiles, including Lloyd Bentsen and Fritz Hollings.

The alternative being offered by the Chairman of the Committee on Governmental Affairs is unequivocal in its objective to diminish your authority to coordinate the regulatory policies of the Executive agencies and to limit the Paperwork Reduction Act's ability to restrain Government-sponsored paperwork burdens imposed on the public. The Administration's opposition to this legislation, S. 1044, the "Federal Information Resources Management Act", also needs to be enunciated.

The choice presented by these two bills is stark. Some urge a wait and see policy with those who would seek to curb your authority. We believe that a firm statement of our fundamental principles is necessary in order to sharply contrast our diverse positions.

Further, we need to make a clear statement to the coalition supporting S. 1139, that we stand with them regarding public protection from unwarranted and excessive paperwork and the burdens of Government regulations which you have worked so long to restrain.

Now is the time to firmly support S. 1139, the "Paperwork Reduction Act of 1991".

Sincerely,

Robert Dole, William V. Roth, Jr., Christopher S. Bond, Ted Stevens, Conrad Burns, Jake Garn, Robert W. Kasten, Jr., Malcolm Wallop, Charles E. Grassley, Connie Mack, Richard G. Lugar, Orrin Hatch, Steve Symms, Robert Smith, John Seymour, Dan Coats, Thad Cochran, Phil Gramm.

U.S. SENATE,

Washington, DC, June 11, 1991.

Hon. DAN QUAYLE,
Vice President,
The White House,
Washington, DC.

DEAR DAN: I am writing to urge your support for the "Paperwork Reduction Act of 1991," which was recently introduced by myself, Sam Nunn, Dale Bumpers, and Bill Roth, among others.

Administration support of this bill would greatly compliment the work of the President's Competitiveness Council in trying to rein in excessive government regulation. The bill seeks to enhance OIRA's role in reducing the paperwork and regulatory burdens imposed upon the public.

Our bill enjoys broad support from the business community. I hope the Administration can join us in our effort to give business and the public some relief from the government's incessant need for more paper.

For your information, I have enclosed a copy of a recent op-ed on this issue.

Best regards,

ROBERT W. KASTEN, Jr.

THE VICE PRESIDENT,

Washington, August 2, 1991.

Hon. ROBERT W. KASTEN, Jr.,
U.S. Senator,
Washington, DC.

DEAR BOB: Thank you for your letters to John Sununu, Dick Darman and me regarding S. 1139, the "Paperwork Reduction Act of 1991."

The Administration strongly supports your efforts to reauthorize the Office of Information and Regulatory Affairs (OIRA) by passing S. 1139. As you know, the President relies upon OIRA to oversee the regulatory process

and to protect the American public from unnecessary and burdensome regulations and paperwork. The Paperwork Reduction Act of 1991 reaffirms Congressional support for a strong paperwork review process and clarifies the responsibilities of departments and agencies to manage paperwork burdens efficiently. It also closes the loophole created by the Supreme Court's decision in *Dole v. Steelworkers*, thereby ensuring that all paperwork required by the Federal government is covered by the Act.

S. 1044, the "Federal Information Resources Management Act," would also reauthorize OIRA. However, its codification of disclosure provisions raises serious constitutional concerns, and could not be accepted by the Administration. As we indicated last year, the President's Senior Advisors would recommend a veto of any bill containing such disclosure provisions.

We urge Congress to reauthorize appropriations for OIRA. We look forward to working with you and Senator Glenn and others on the Governmental Affairs Committee to secure passage of sound legislation reauthorizing OIRA along the lines of S. 1139.

Sincerely,

DAN QUAYLE.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

The PRESIDING OFFICER. The Senate will now resume consideration of H.R. 2707, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2707) making appropriations for the Departments of Labor, Health and Human Services and Education, and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

The Senate resumed consideration of the bill.

AMENDMENT NOS. 1109, 1110, 1111, AND 1112

Mr. HARKIN. Mr. President, there are four additional amendments which have been cleared on both sides. I would like to describe them very briefly.

The first is an amendment to add \$2 million for substance abuse prevention in the workplace, offset by a transfer of funds. That is an amendment by Senators HATCH and KASTEN.

The second is an amendment to add \$450,000 for training of professional staff serving older Americans within available funds at the Office of Human Development Services at HHS. The second amendment also adds \$500,000 from available funds for independent living programs. That is to be presented by Senator DOLE.

The third amendment is an amendment to extend for one more year grants for independent living centers. Again that is an amendment by Senator DOLE.

The fourth amendment is to establish a prostate cancer research center within available funds at the National Cancer Institute. That is an amendment by Senator STEVENS and Senator INOUE.

Mr. President, I ask unanimous consent that the pending committee amendments be temporarily laid aside for the purpose of adopting the four amendments just described.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. I send four amendments to the desk and ask unanimous consent that they be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes amendments numbered 1109 through 1112 en bloc.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

On page 29, line 21, insert before the period the following: "Provided, That \$2,000,000 of the funds available under this heading, which would otherwise have been made exclusively available for carrying out programs through the Office of Substance Abuse Prevention, shall be transferred to the account "SALARIES AND EXPENSES" under the heading "DEPARTMENTAL MANAGEMENT" in title I of this Act for the purpose of providing technical assistance to small and medium sized business on the establishment of workplace substance abuse programs which shall be administered cooperatively between the Office of Substance Abuse Prevention and the Department of Labor".

Mr. HATCH. Mr. President, I want to thank the distinguished floor managers for agreeing to accept this important amendment and desire only to spend a few moments explaining the amendment's purpose and meaning.

Combatants in the war on substance abuse generally agree that any serious attempt to deal with this problem must focus on a reduction in the demand for drugs.

While this solution seems apparent, its translation into a plan for action has proven very difficult. In most respects, it is like declaring war and then not being able to find where the enemy is hiding.

However, recent studies of this problem are beginning to offer some insight into ways to reduce the demand for drugs and alcohol. Specifically, we now know that about 68 percent of all those who use illegal drugs are employed, either in a part-time or full-time capacity. Additionally, we know that 1 out of 10 individuals in the United States has an alcohol problem and that most of these people also work.

With this knowledge, it becomes clear that the workplace is an institu-

tional setting offering great opportunity for addressing the demand for drugs and alcohol. Add to these recent findings the fact that persons with addictive disorders often value their jobs more highly than their families or other social support networks, and the workplace appears to offer the most hope for effectively motivating a substance abuser to receive the help he or she needs to break this addiction.

Now, Mr. President, many large business operations in the United States have recognized that there are numerous advantages to their helping employees overcome substance abuse. The benefits for these businesses include increases in productivity, lower absenteeism, and fewer accidents and illnesses. All of these factors, of course, lead to reduced insurance and compensation costs, reductions in employee theft, and tremendous potential savings in benefit packages—such as in controlled health care costs.

However, establishing programs to deal effectively with employee substance abuse problems requires a high level of expertise and up-front groundwork. Thus, generally, such programs have been limited to larger companies. Small businesses most often find these time and technical requirements prohibitive.

This has led to some interesting observations, Mr. President. Specifically, as the larger companies adopt programs to deal with substance abuse problems, employees tend to move to other companies to escape detection. In other words, rather than to accept offers of help, for all the reasons that they are substance abusers in the first place, these employees opt to leave employment with large employees and move to employment with smaller employers.

After looking at this problem recently, Mr. President, Representative RON WYDEN of Oregon, the chairman of the House Small Business Committee's Subcommittee on Regulation, Business Opportunities and Energy, said that "substance abuse in the nation's small businesses is a health care problem of forest fire proportion." He concluded that for "workers who do drugs, America's small businesses are becoming the employers of last resort."

If this problem is to be overcome, something must be done to address the problems that currently prevent small businesses from becoming involved in employee substance abuse assistance programs. Small business owners generally identify these problems as: First, a lack of information about how to set up and run these programs; second, financial constraints; and third, the fear of potential legal problems.

Mr. President, the purpose of the amendment I have offered today is to help address these problems through the dissemination of relevant information and training concerning structur-

ing and administering employee assistance programs in small business.

Briefly, let me explain what employee assistance programs [EAP] consist of. Generally, there are five key elements in an EAP: First, a workplace substance abuse policy; second, supervisory training; third, employee orientation; fourth, drug and alcohol education and awareness; and fifth, assessment and referral mechanism so that the employee can obtain needed help overcoming an addiction.

What this amendment does is to provide the Secretary of Labor, in conjunction with the Secretary of HHS, with funds to provide to small businesses the information and technical assistance they need to develop these elements of an employee assistance program.

To accomplish this, the amendment simply transfers \$2 million of moneys already existing in the budget of the Office of Substance Abuse Prevention that were provided for the purpose of administering community partnerships. The Office of Substance Abuse Prevention [OSAP] is designed to support early intervention projects through these community partnerships. To accomplish these objectives, OSAP would be given \$281.6 million in fiscal year 1992, of which \$113.9 million would be provided to administer these community partnership programs.

By simply shifting \$2 million to the Department of Labor to begin the administration of these small business substance abuse programs, the bottom line objectives of combating substance abuse would be advanced significantly. As I stated, this is so because it has become apparent that the best way to reach substance abusers is through the workplace. With this in mind, it seems appropriate to begin this effort with this \$2 million from the Office of Substance Abuse Prevention because of the similarity of the overall mission. This transfer does not harm the ongoing goals of OSAP because it is intended that they work cooperatively with the Department of Labor in getting this job done. Also, the vast majority of funds allotted OSAP remains in place. This transfer complements OSAP's goals by creating a cooperative effort that will permit much more than either is capable of independently.

Mr. President, if the Congress is truly serious about attacking drugs in our society, I think small businesses provide battlegrounds wherein great advances are possible. Because of this amendment, small business owners who want to help rid their workplaces of the problems associated with substance abuse will be able to do so. Reliable information will be available to them that will assist them in offering a helping hand to their employees.

Mr. KASTEN. Mr. President, I am pleased to join Senator HATCH in offering this amendment to help small busi-

nesses rid their workplaces of drug abuse, and I applaud him for his leadership on this issue.

Our amendment would provide \$2 million to the Department of Labor for assisting small business owners in addressing the problems of substance abuse in their workplaces. Specifically, the amendment would enable the Labor Department to provide additional help to small business owners in setting up employee assistance programs [EAP's]. EAP's are cost-effective job-based strategies for helping employees with drug and alcohol abuse.

We must attack the scourge of drugs in all facets of our lives: in the workplace, in our schools and churches, and at home. In the workplace, employee substance abuse is estimated to cost over \$200 billion annually, in the form of increased accidental injuries, health care costs, lost work days, and other expenses. Employee assistance programs are believed to be the most effective tool in helping to eradicate the problem. A 1990 Gallup survey of Wisconsin workers conducted by the Institute for a Drug-Free Workplace showed that 77 percent of workers in my State support EAP's.

Yet small businesses, which employ over a majority of working Americans, are less likely than larger ones to implement these programs. Seventy-five to eighty percent of the Fortune 500 companies have EAP's, but less than 10 percent of small business have EAP's.

According to the Labor Department, small businesses have difficulty setting up these programs because they believe that implementing and operating a substance abuse program to be too complex and costly. Others lack the knowledge and guidance necessary to establish and maintain an EAP.

The Department is actively working to promote awareness of the EAP's among small businesses. In particular, it is working on expanding its information dissemination and is looking into using personal computers to provide training materials. The \$10 million provided by this amendment will go a long way in helping them continue these efforts and developing a demonstration system to deliver this technology.

The drug plague is a serious threat to our prosperity. We need creative solutions like this amendment—and I support it strongly.

AMENDMENT NO. 1110

(Purpose: To require that certain appropriated sums be used for a program regarding training for professional and service providers.)

On page 43, line 6, after the colon insert the following: "Provided further, That of the amounts made available under this heading, \$450,000 shall be used for making grants and entering into contracts under section 411 of the Older Americans Act of 1965 (42 U.S.C. 3031) to establish a program under which professional and service providers (including family physicians and clergy) will receive training—

"(1) comprised of—

"(A) intensive training regarding normal aging, recognition of problems of aging persons, and communication with the mental health network; and

"(B) advanced clinical training regarding means of assessing and treating the problems described in paragraph (1);

"(2) provided by—

"(A) faculty and graduate students in programs of human development and family studies at a major university;

"(B) mental health professionals; and

"(C) nationally recognized consultants in the area of rural mental health and

"(3) held in county hospital sites throughout the State in which the program is based": *Provided further*, That \$500,000 of the funds available under this heading shall be used for making grants and entering into contracts under section 162 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6082) to establish innovative approaches to consumer-responsive personal assistance service which shall enhance opportunities for individuals with disabilities to live independent and productive lives with full inclusion in their community".

Mr. DOLE. Mr. President, I rise today to offer an amendment that will provide the necessary funding to enhance the delivery of mental health care to our Nation's rural elderly. The mental health needs of people living in rural areas is not being met. Similarly, the mental health needs of the elderly are not being met. Consequently, elderly persons who live in small rural areas are at double jeopardy when faced with mental health problems. The lack of mental health services is not, however, the greatest issue among rural elderly—elderly people in general are often resistant to seeking and accepting formal mental health services.

The elderly are more willing to take their mental health problems to people they have regular contact with; people they know and trust. Professionals—that is, family physicians and clergy—and service providers—that is, senior center directors and staff members, county extension agents—have regular, trusted contact with rural elders. But, few service providers are trained to recognize warning signs of depression, suicide, alcoholism, complicated grief of Alzheimer's disease; many professionals were trained before gerontology was included in the curriculum. The reality is that professionals and service providers most likely to come into contact with an elder who has mental health concerns have little or no training in aging or mental health.

In Kansas, an innovative project is being developed to alleviate this rural health problems. Through the enhancing mental health services for rural elderly project a core group of trusted professionals and service providers will be trained in gerontology and mental health issues of the elderly. As a result of this project the rural elderly will have trained people in their community to help them recognize and overcome problems of depression, suicide,

alcoholism, complicated grief of Alzheimer's disease.

Training will be provided by Kansas State University faculty and selected graduate students in human development and family studies, mental health professionals in the field, and nationally recognized consultants in the area of rural mental health. Training sessions will be held in county hospital sites throughout the State for both professionals and service providers.

Training will be focused primarily in the following areas: First, normal aging; second, recognizing problems of aging persons; and third, communicating with the mental health network. The professionals—that is, physicians and clergy—will also receive advanced clinical training in ways to assess and treat these problems.

My amendment directs \$450,000 of moneys to be appropriated under title III of the Older Americans Act to ensure that elderly persons be afforded appropriate and adequate mental health care. The enhancing health services for rural elderly project is a step in the right direction in assuring that the mental health needs of people living in rural areas are being met.

Following their training programs, service providers who understand normal aging and the warning signs of specific mental health problems can then refer elderly persons to local clergy or family physicians. Members of the clergy or family physicians whose assessment skills are more advanced can then determine the need for specialized mental health treatment and provide the critical link to mental health services.

AMENDMENT NO. 1111

(Purpose: To require that funds appropriated to make grants for the establishment and operation of independent living centers be used to support persons currently receiving the grants)

On page 57, line 3, insert before the period: "Provided, That, until October 1, 1992, the funds appropriated to carry out section 711 of the Rehabilitation Act of 1973 (29 U.S.C. 796e) shall be used to support persons currently receiving grants under the section".

Mr. DOLE. Mr. President, 1 year ago today, 2,000 people gathered on the White House lawn for the historic signing of the Americans With Disabilities Act of 1990.

The ADA, which prohibits discrimination on the basis of disability in employment, public services, public accommodations, and telecommunications, was the most comprehensive civil rights law to be enacted since 1964. Its about the integration of all citizens into every aspect of American society. It is about real people with real life issues.

A few months ago, for example, I heard eloquent and moving testimony before the Committee on Labor and Human Resources on the need to ensure independence and equal opportunity for people with disabilities.

The hearing, which addressed the use of personal assistance services [PAS], made it clear that Congress needs to build on the gains achieved 1 year ago today. In his poignant testimony, Tim Steininger of Dodge City, KS, persuasively justified the revision of current policies to include a comprehensive and flexible PAS program. No doubt about it, the timely and thorough consideration of such a program is one of my top priorities.

Why? Because I believe, as do my colleagues, that everyone deserves the right to self-determination. Is this too much for a person with a severe disability to expect out of life? Inclusion should mean enjoying the rights that those of us fortunate to be self-sufficient take for granted everyday. Is that not what the ADA is all about?

Mr. President, I believe we need to enhance the delivery of personal assistance services in this country if we are to afford people with disabilities their right to lead independent and productive lives. I am optimistic about the future of disability policy. Let's build on the gains we have made to ensure independence and freedom for all Americans.

The amendment I am offering today will invest in the promise of an all inclusive society by developing innovative approaches to the delivery of consumer-responsive personal assistance services. Within the projects of national significance under the administration on developmental disabilities, the monies appropriated for the expansion of personal assistance programs will be a step in the right direction in building a comprehensive array of personal assistance services.

AMENDMENT NO. 1112

On page 23, line 4, before the period, insert the following: "Provided further, That within the funds provided under this heading the Institute shall establish a Matsunaga-Conte Prostate Cancer Research Center".

The PRESIDING OFFICER. Is there further debate on the amendments? Hearing none, the question is on agreeing to the amendments.

The amendments (Nos. 1109, 1110, 1111, and 1112) were agreed to en bloc.

Mr. HARKIN. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CHILD HEALTH RESEARCH CENTERS

Mr. SPECTER. Mr. President, I would like to enter into a colloquy with my good friend and distinguished chairman of the subcommittee for the purpose of clarification.

Once again the subcommittee has recognized the importance of providing additional funding to the Child Health Research Centers Program at the National Institute of Child Health and Human Development [NICHD]. Created

at the urging of this subcommittee in fiscal year 1990, child health research centers are intended to build basic research capacity at established and developing pediatric institutions and to develop pediatric investigators. The goal of this innovative "bench to bedside" research program is to speed the transfer of basic science to clinical applications, thereby improving the care of infants and children.

Is my understanding correct that the subcommittee provided \$2 million in fiscal 1990 to initiate the Child Health Research Centers Program and an additional \$1,500,000 in fiscal 1991 to expand the program?

Mr. HARKIN. The Senator from Pennsylvania is correct.

Mr. SPECTER. Then, is my understanding also correct, Mr. President, that coupled with the additional \$3 million the subcommittee is providing in this bill, the total expenditure for the Child Health Research Centers Program in fiscal year 1992 will be \$6,500,000?

Mr. HARKIN. My friend, the Senator from Pennsylvania, is again correct.

Mr. SPECTER. I thank my good friend and subcommittee chairman for clarifying this matter.

LIBRARY CAREER TRAINING

Mr. SARBANES. Mr. President, I am pleased to note that the Senate is providing \$5 million for the Library Career Training Program under title II-B of the Higher Education Act for fiscal year 1992. This modest sum will make a significant contribution to alleviating the shortages of librarians and library educators.

Librarians in the United States currently number fewer than 200,000, and nearly 40 percent of them will be 65 years of age or older by the year 2000. Library employers report severe shortages, especially for children's librarians, school library media specialists, catalogers, librarians with technological expertise, and librarians who are members of minority groups.

In the early and more adequately funded years of the HEA II-B program, a corps of leaders was recruited to the library field or enabled to earn a Ph.D. Many of the current faculty, deans, and library directors around the country are II-B fellowship recipients. With the dramatic decrease in appropriations for the II-B program in the 1980's, replacements for such leaders are not coming along fast enough to make up for losses and retirements.

In addition, we require more advanced education and skills of our librarians than we are willing to pay for. For example, school library media specialists are expected to hold a teaching degree and have a master's degree or additional course work in library and information science. The master's degree is the minimum level generally required in public and academic libraries. Many positions also require fluency in

foreign languages, advanced study in public administration, computer and communication techniques, social services and community outreach, or such specialized knowledge as children's literature, Government documents, or law or medical librarianship.

I recently introduced a bill, S. 1099, which addresses the serious shortage of librarians and library educators by increasing the authorization level for HEA II-B to \$15 million. Meanwhile, I am pleased that we are taking action in the Labor/HHS/Education appropriations bill to prevent the erosion of the unique and vital services provided by libraries to citizens and communities throughout the country.

Because the fiscal year 1992 level is a significant increase in II-B funding, I wanted to take this opportunity to engage in a brief colloquy with the chairman and ranking minority member concerning congressional intent regarding the most appropriate use of the \$5 million for library career training.

Mr. HARKIN. I would welcome an opportunity to clarify our intent with regard to funding for this important program.

Mr. SARBANES. It is likely to be next spring before institutions or organizations are notified that they are successful applicants for II-B grants, leaving precious little time to recruit strong candidates for graduate study during the 1992-93 academic year. Time would be particularly short for potential Ph.D. candidates, who might have to relocate, leave jobs, and make appropriate arrangements for their families. It would be my recommendation that the Department of Education officials move quickly in administering this program, but at the same time, consult extensively with representatives from the library community on the most effective use of II-B funds for fiscal year 1992.

Mr. SPECTER. I also have a special interest in the HEA II-B library training program. Three fine institutions in my State—Clarion University of Pennsylvania, Drexel University, and the University of Pittsburgh—provide graduate library education programs. The law allows library career training funds to be used for assistance to institutions of higher education, library organizations or agencies for fellowships, traineeships, and institutes, or other training or retraining programs in library and information science.

I urge the Department of Education to use the majority of the increased funds for HEA II-B for fellowships at both the doctoral and Master's levels, and to use a smaller percentage for other training, retraining, and library and information science education projects. The Department should consider raising the current stipends for fellowship recipients. I understand the stipends have not been adjusted for some years, and are now inadequate to

cover true expenses. I further urge the Department to consult with the library community concerning the best mix among the authorized purposes under this program, and concerning fiscal 1992 priorities for assistance.

Mr. HARKIN. I concur with those expectations, and would expect appropriate officials of the Education Department to take note of them.

Mr. SARBANES. I appreciate the cooperation of my colleagues in clarifying the committee's intent. I would simply raise one other point, and that is the importance of this program for the recruitment of minorities to the library field. The importance of this issue and the continuing need for such assistance were reinforced recently by the delegates to the White House Conference on Library and Information Services. More than one recommendation called for assistance for the training and retraining of library and information science professionals to serve the needs of multicultural, multilingual populations. This should be a priority for II-B grants in fiscal 1992.

Mr. HARKIN. I would agree that the continuing need for assistance in minority recruitment is one of the reasons for our increased support, and it should be a priority in the use of title II-B funds.

Mr. SIMON. Mr. President, as a longtime supporter of and advocate for libraries, and as a member of the Senate Labor and Human Resources Subcommittee on Education, Arts, and Humanities, I too have an interest in clarifying the intent of title II-B of the Higher Education Act.

My great State of Illinois has three outstanding graduate library education programs, which are located at the University of Illinois, Northern Illinois University, and Rosary College. I certainly agree with the support the comments made by my colleagues regarding the use of title II-B funds.

This summer, I had the honor of addressing the White House Conference on Library and Information Services and talking with the delegates. The delegates strongly supported and recognized the importance of recruiting and training minorities under title II-B. I couldn't agree more. More than 15 library and higher education organizations, including the American Library Association, recommended reauthorization of title II-B with a particular emphasis on the recruitment and retention of minorities as one of the most critical needs in the profession.

Title II-B has played a key role in the recruitment of minorities. In recent years, however, this has not been listed as one of the top title II-B priorities by the Secretary. Only 7.7 percent of graduate degrees in library and information science are annually awarded to minorities. We can and should do better. This should be a top priority for title II-B.

THE COLORADO BIOMEDICAL VENTURE CENTER
AT THE NATIONAL INSTITUTES OF HEALTH

Mr. WIRTH. Mr. President, we all recognize the need to maintain and enhance our country's international competitiveness in all areas of high technology. With our existing world leadership in the biomedical area, the increasing global demand for improved diagnostics and therapeutics and this country's \$10 billion a year Federal research effort, we should pay particular attention to promoting our competitiveness and productivity in this area.

I am a member of the Senate Committee on Energy and Natural Resources and last year we held hearings on the human genome project. At these hearings, the importance of our technical leadership and its economic benefits were driven home to me and the other members of the panel.

It would be a mistake for the United States to rest on its laurels as the world's leader in the biomedical field. Japan is undertaking an aggressive effort to make major advances in biotechnology transfer. In a recent article in *Business Tokyo* a senior manager of Suntory Co. said that:

America is, and will remain, the leader in the field. Japan will never equal the United States commitment to basic research. And if basic research isn't sound, you won't have the constant stream of ideas on which to develop products.

That is, products produced in Japan—based on United States research. During the 1980's, more than 200 biotechnology transfer agreements between Japan and American companies were signed over a 5-year increment. The export of U.S. basic research has already begun.

I would hope, Mr. President, that we can look to history for guidance. While the transistor was developed in the United States, it was produced overseas. And, if we are to learn from our past mistakes, we need to take steps to maintain our leadership in the commercial biomedical field.

To do this, we must encourage the efforts being made by the National Institutes of Health [NIH] Office of Technology Transfer to help our Nation's intellectual capital generate a secure strong industry leading us into the 21st century.

Mr. President, I am proud to say that the State of Colorado is a national leader in biomedical research and in the commercialization of these technologies. Our excellence in research was emphasized by the Nobel Prize awarded to Dr. Thomas Cech of the University of Colorado for his work on RNA. In 1990, Colorado was home to more than 200 biomedical companies producing combined sales of more than \$1.2 billion. These companies exported as much as 40 percent of their products to Japan, other Pacific rim countries, and Europe.

Colorado has sought to stimulate this field by creating several public-

private technology transfer programs. In particular, the Colorado Biomedical Venture Center [CBVC] is working to develop commercial applications from biomedical discoveries made within the State's universities and hospitals. This State seed-funded, nonprofit corporation is ideally suited to work with the NIH's Office of Technology Transfer to assist in the development of commercial applications from discoveries made at the Institutes. Indeed, it is my understanding that the CBVC and NIH are developing a memorandum of understanding for this purpose.

It is also my understanding from Senator HARKIN that funds are available in the NIH extramural construction appropriation to help stimulate the development of this NIH-CBVC application development demonstration project. It might inquire of the distinguished Senator from Iowa, what is the subcommittee's view of this project? Is the Colorado project eligible for receipt of \$2 million from this program?

Mr. President, I yield to the distinguished chairman.

Mr. HARKIN. Mr. President, I am aware of the technology transfer project and NIH appropriation referred to by Senator WIRTH and I agree that we must encourage our continued commercial leadership in the biomedical field. It is also my understanding the project referred to by Senator WIRTH can serve as a valuable model for this effort—demonstrating to ourselves and other States that we can take that extra step from the laboratory to the marketplace.

Therefore, I encourage Colorado to apply for funding to develop this project and I sincerely hope that the administration will see fit to promote this worthwhile effort.

Mr. WIRTH. I thank my good friend from Iowa and you can be assured that we will pursue this project with NIH.

Mr. President, I yield the floor.

JOB CORPS FUNDING COLLOQUY

Mr. WIRTH. Mr. President, I would like to briefly discuss with the distinguished chairman of the Subcommittee on Labor, Health and Human Services, and Education a program which deserves our attention. I refer to the Job Corps Program that is an important part of our efforts to assist our Nation's youth and prepare them to enter the work force. The basic education and vocational training provided by Job Corps helps at-risk youth that might otherwise not complete their education and begin productive careers. I understand that the Appropriations Committee has supported the program in the legislation we are now considering. Is that correct?

Mr. HARKIN. The Senator is correct. The committee does support the program. Our report recognized the success of the Job Corps and the merits of the 50-50 plan that would allow the program to serve 50 percent more poverty

youth annually by opening 50 new Job Corps centers throughout the country. Accordingly, we provided an increase of \$40 million above the President's budget, \$30 million of which would be used for center relocations, opening previously approved new centers, and planning and site acquisition for further expansion.

Mr. WIRTH. I thank the chairman and commend the committee's actions. Colorado is underserved by the program. In fact, of the 42 States that have centers, Colorado ranks 37th in the percentage of poverty youth served by Job Corps. Five of the States that lack a center or serve a lower percentage of poverty youth than Colorado are already slated to receive new centers. The only center in Colorado is located in a rural area and several cities in Colorado's populous front range have significant populations of youth that could greatly benefit from a new center for Colorado.

I recognize that the 50-50 plan will take a number of years to implement and that we do not have the resources to immediately place a center in every area that would benefit. The House provided \$28 million less for center construction and renovation and, given the constraints we face, the committee has made a good start at encouraging the program's expansion. I would like to ask the chairman if he intends to work to preserve funding for the program's expansion as the legislation goes to conference with the House.

Mr. HARKIN. I support the Job Corps Program and will work on behalf of the Senate's position as we move to Congress. I am also aware of the strong interest in Colorado in the expansion of the program and the broadbased support in that State for obtaining a Job Corps center and participating in the Job Corps Program. The report includes a list of areas that have an interest in the program and community support for a new center and Colorado's front range proposal certainly should be considered on an equal basis with locations on that list. I thank the Senator from Colorado for his interest in the program and support of the committee's efforts.

Mr. WIRTH. I thank the chairman for his efforts and comments. I hope that the Senate's position will prevail in conference and Colorado will be able to obtain a new center as the program expands.

JOB CORPS DEMONSTRATION PROJECT

Mr. SANFORD. Mr. President, I would like to engage the distinguished manager of this bill, Senator HARKIN, in a colloquy about a Job Corps demonstration project.

Mr. HARKIN. I would be happy to discuss this matter with the Senator from North Carolina.

Mr. SANFORD. I would like to direct the attention of the chairman of the Labor, Health and Human Services

Subcommittee to my proposal to provide \$1,500,000 for a Job Corps demonstration project in up to three States. The Secretary of Labor would be authorized to contract with public vocational, technical, and community college facilities to set up nonresidential programs for the same population of disadvantaged youth eligible for the regular Job Corps Program. These youth would be paid the minimum wages for a 40-hour work week, in lieu of stipends and room and board. The eligible participant will be provided with a combination of job and remedial skills training, education, and work experience for 40 hours each week. Through this program, the youth will be able to utilize the Job Corps expertise and the public vocational, technical, and community college facilities to receive job counseling and training.

This demonstration program distributes the resources of the Job Corps more efficiently and will allow the benefits of the Job Corps to reach those disadvantaged youth who, for some reason or another, cannot participate in the residential program. I first noted this need 25 years ago and am happy finally to be able to provide a nonresidential source of Job Corps benefits to disadvantaged youth.

I am aware that there is funding within this Department of Labor appropriation bill for demonstration programs. I believe that the demonstration program that I have just outlined would be available for funding from the amount provided for the demonstration programs. Is that correct?

Mr. HARKIN. Yes, that is correct. A portion of the demonstration resources in the bill could be used to carry out demonstrations of the type described by the Senator. I would urge the Secretary of Labor to fund demonstration programs of this type.

EMPLOYMENT AND TRAINING

Mr. COCHRAN. In title I of H.R. 2707, making appropriations for the Department of Labor, the committee has made available \$38.7 million for pilots and demonstration programs related to employment and training. I have recently learned of an innovative model developed by Mississippi Very Special Arts in cooperation with other States in the Appalachian region, which would offer employment services to talented individuals with disabilities, and teach them the skills necessary to develop a sales distribution network for the goods they produce. This program, which has been endorsed by disability advocacy groups throughout the State, would enable this truly displaced group of workers in Mississippi and around the Nation, to find financial independence. Funds provided would allow professional artists with disabilities in the region to form an arts collective which would support a production center and establish a national marketing and distribution system. It is a modest, cost-

effective design which I believe merits funding from the Department of Labor.

Knowing of your longstanding commitment to programs which offer the promise of independence and self-sufficiency to people with disabilities, I hope you will join me in endorsing this employment model and encouraging the Department of Labor to find the necessary funds—\$400,000 in fiscal year 1992—to fully develop this program for eligible residents in the Appalachian region.

Mr. HARKIN. Let me first thank my colleague from Mississippi for informing us about this very interesting new initiative. I am well aware of the alarming unemployment rate among persons with disabilities and the difficult economic conditions which plague the Appalachian region. The program you describe offers a unique approach to job creation and economic development for persons with disabilities and one that I would certainly support and encourage the Department of Labor to fund.

THE MCNAIR PROGRAM

Mr. SPECTER. Mr. President, I want to join the chairman of the Subcommittee on Labor, HHS, and Education appropriations in support of the amendment to lift the "cap" on the Ronald C. McNair Postbaccalaureate Achievement Program authorization. We have consulted with the Democratic and Republican leadership of the Subcommittee on Education, Arts and Humanities and the Committee on Labor and Human Resources. They strongly concur in this effort.

The limitation placed on the portion of the overall trio appropriation allocated to the McNair Program was intended to assure that this new program, created by the Higher Education Amendments of 1986, would not adversely impact funding for the existing programs. Additionally, this concern was based in part on the limited funding provided for the trio programs. Since fiscal year 1987, the Congress has increasingly recognized the importance of the trio programs' focus on early identification and academic support and counseling as critical elements to improving the access and success of minority, low income, handicapped and first generation students in higher education.

The trio appropriation has increased from \$176.3 million in fiscal year 1987 to \$333.8 million in fiscal year 1991. During that same period, the McNair allocation has increased from \$1.5 million in fiscal year 1989—the first year of its implementation—to \$3 million in fiscal year 1990, to \$5.0 million in fiscal year 1991. This year the Senate bill provides \$385.8 million and we hope that the Department will allocate a significant portion of this increase to the McNair Program.

The \$5 million must be lifted now or the department has advised us that it

will be bound by the limitation in section 417(d)(6)(B). The need to increase minority participation in graduate education is clear and the contributions of this small, but critical program to that effort is essential. The need to increase the numbers of Americans receiving the Ph.D. in such areas as mathematics and the physical sciences is equally important. This vital program helps America do both.

We must take this step now or postpone enhancing the contribution this program can make until the completion of the pending reauthorization of the Higher Education Act. I urge my colleagues to support the package of amendments and our efforts to expand graduate education opportunities for all Americans through the Ronald C. McNair Postbaccalaureate Achievement Program.

ALZHEIMER'S DISEASE RESEARCH

Mr. GRASSLEY. May I ask the Senator a question about his amendment? Mr. HATFIELD. Certainly.

Mr. GRASSLEY. I congratulate the Senator on his amendment, which I certainly support and would like to cosponsor.

I, too, was intrigued by the Post article to which the Senator referred in his remarks. As I understand it, "substance P" protected experimental rats from nerve cell death similar to that caused by Alzheimer's disease. Apparently, the scientists who work in this area are very excited at the possibility that this work may lead to drugs which could actually prevent Alzheimer's disease.

This work resulted from a drug development program being carried on at the National Institute on Aging. The aims of this program are, among others, to stimulate discovery of new compounds focusing on preventing or delaying the progression of the disease, to encourage collaboration between university researchers and researchers in industry, and to commence international collaboration in the testing of new compounds.

As I understand it, the NIA Program will focus on relatively high risk lines of research, such as how to deliver compounds to specific target areas in the body and at finding compounds to regulate gene expression, which industry researchers may be reluctant to undertake. The project managers at the NIA believe that, once their sponsored research begins to produce results, industry will begin to undertake research to build on those results.

Finally, the NIA Program is trying to make it easier to more quickly test compounds. Some 30 academic and other health institutions have formed a coalition to help accelerate the testing of compounds.

Clearly, this is a program with great promise.

I am concerned, however, because, given the current level of funding for

this activity—\$7 million—we may be facing a relatively long period before it will culminate in a drug—"substance P" or some related product—that can be used with Alzheimer's disease victims. I know that the Alzheimer's program at NIA has many other high priorities, but this work surely deserves increased emphasis.

My question is whether the Senator intends that some of the money his amendment is providing be used to increase the efforts at the National Institute on Aging devoted to development of new drugs for use with Alzheimer's disease victims?

Mr. HATFIELD. I would very much like to see some of this money added to the current level of support being provided new drug development for use with Alzheimer's disease victims. As I said in my statement a moment ago, medical research is the only hope we have for preventing further suffering by patients and families from this terrible disease. Drug development is certainly one of the things we should be concentrating on. As I noted, the new development on which the Post reported deserves our full attention.

Furthermore, I would like the Senator to know that I intend to do my best to persuade the committee of conference on this bill to emphasize the importance of this work.

Mr. GRASSLEY. I thank the Senator. I am very pleased that he believes this work at the Institutes deserves additional support.

CASH AND MEDICAL ASSISTANCE

Mr. MACK. I would like to ask a question of the Senator from Iowa regarding the cash and medical assistance appropriation in the Labor-HHS bill.

In the Senate version, although full disbursement of funds is delayed until fiscal year 1993, the appropriation for cash and medical assistance is maintained at \$234 million. This is in contrast to the House Appropriations Committee language which allots only \$117 million for fiscal year 1992, after which the cash and medical assistance program would be phased out.

As you know, the Refugee Act of 1980 has a dual purpose: First, to provide a procedure for the annual admission of refugees to the United States and second, to authorize Federal assistance to resettle refugees. The Refugee Resettlement Program is administered by the Office of Refugee Resettlement [ORR] in the Department of Health and Human Services [HHS].

One of the major domestic resettlement assistance programs authorized under the Refugee Act is cash and medical assistance. The House Labor-HHS Appropriations Committee phases out this critical program after fiscal year 1992.

Phasing out the cash and medical assistance program is inconsistent with the numbers of refugees still entering

the United States. The fiscal year 1991 ceiling on total refugee admissions into the United States was 131,000. The fiscal year 1991 appropriation for cash and medical assistance was \$234 million. The State Department has estimated the fiscal year 1992 refugee admissions ceiling at 144,000. The President's fiscal year 1992 request for cash and medical assistance at \$240,000,000 reasonably reflects the numbers of refugees for the upcoming fiscal year. The Senate maintains the fiscal year 1992 level at \$234 million, but makes half this amount available on a delayed obligation basis to reimburse the States. The House, however, has only appropriated \$117,600,000 for cash and medical assistance to be available through March 31, 1992, after which the program would be phased out.

If the Congress adopts the House language, the Federal Government would be sending the message to the States that it is reneging on the commitment made under the Refugee Act. While the number of refugees is increasing by 30 percent, the House language decreases cash and medical assistance to resettle these refugees by 50 percent for this fiscal year before phasing out the program in March of 1992. Does this mean the United States will not be accepting any more refugees after fiscal year 1992? No. It's just another example of how the Federal Government has fallen short on its responsibility to assist the States with the consequences of Federal immigration policy. Florida and other States affected by large refugee populations have already spent millions of dollars without Federal reimbursement.

More importantly, the legislative history of the Refugee Act clearly indicates that refugee resettlement costs are the responsibility of the Federal Government. In the report to accompany the Refugee Act of 1980, the Senate Judiciary Committee made two important points: First, refugee resettlement is a Federal responsibility; and second, the Federal Government committed itself to reimbursing the States 100 percent for the first 2 years of refugee resettlement.

At that time, the committee explained:

Because refugees admitted to the United States are a result of a national policy decision and by federal action, the federal government clearly has a responsibility to assist States and local communities in resettling the refugees—assisting them until they are self-supporting and contributing members of their adopted communities. * * * The bill limits the 100 percent federal support of medical, cash and employment programs to the first two years after the refugee's entry into the United States.

Congress originally authorized reimbursement to the States for 100 percent of the costs of providing refugees with cash and medical assistance during their first 36 months in the United States. In 1986, the period of Federal

reimbursement was reduced from 36 to 31 months, further reduced to 24 months in 1988. In 1990, States were told that reimbursement would last for only the first 12 months of refugee resettlement.

In addition, this year alone, Florida was not reimbursed for almost \$1 million in AFDC and Medicaid costs, as a result of a Federal decision to limit to 4 months reimbursement to the States for categorical refugee programs.

Florida's grant allocation for cash and medical assistance in fiscal year 1990 was \$6.8 million; in fiscal year 1991, approximately \$8 million. Phasing out this cash and medical assistance would clearly mean that Florida and other States will not continue to receive its fair share of Federal assistance.

The House action to phase out cash and medical assistance is wrong. The Congressional Research Service [CRS] has commented that "cash and medical assistance is the heart of the refugee resettlement program." Without cash and medical assistance, the States would be forced to assume an unfairly excessive financial burden.

I would therefore like to pose the question to the Senator from Iowa: What is the committee's intention with regard to this vital cash and medical assistance program?

Mr. HARKIN. I agree with the Senator from Florida. Cash and medical assistance is an integral element of the Federal government's responsibility in domestic refugee resettlement.

The committee does not intend to terminate cash and medical assistance on March 31, 1992, or anytime thereafter, and would certainly hope this position will prevail in conference with the House.

OSHA PROGRAMS

Mr. KASTEN. Mr. President, I would like to inquire of the distinguished chairman if the chairman of the Small Business Committee, and the senior Senator from Mississippi could engage in a colloquy regarding certain items in the committee report language that affect the Occupational Safety and Health Administration?

Mr. HARKIN. I would be happy to yield to the senior Senator from Wisconsin in order to discuss these issues.

Mr. KASTEN. Mr. President, an amendment offered by Senator COCHRAN and Senator BUMPERS, which was adopted in committee, deleted a House-inserted provision that would have required the Occupational Safety and Health Administration to expand accident reporting requirements for employers of fewer than 10 workers. I want to express my strong support for this language and urge the chairman to press for the Senate language in conference.

Mr. COCHRAN. I would like to join the Senator from Wisconsin in urging that the Senate conferees retain this language. Currently, all businesses,

large and small, are required to report workplace accidents to OSHA when five or more workers are hospitalized. As passed by the House, the bill language required only small businesses of 10 or fewer workers, to report accidents where 1 worker is hospitalized. This would create an unfair situation and impose additional reporting burdens on small business.

Mr. HARKIN. I would inform the Senators that I am aware of your concerns about this issue and will do my best in conference to secure the Senate position.

Mr. COCHRAN. On another issue concerning OSHA, I would like to inquire of the chairman how much money is set aside for OSHA's on-site consultation program?

Mr. HARKIN. I would inform the Senator that we have included \$2.5 million in additional compliance assistance funding that is intended for the consultative services program.

Mr. BUMPERS. Mr. President, am I correct in that the House did not include any additional funding at all for the consultation program?

Mr. HARKIN. The distinguished Senator from Arkansas is correct.

Mr. BUMPERS. Mr. President, I urge the chairman to try and retain the Senate position. This program is extremely helpful to small businesses, especially in view of the recent sevenfold increase in OSHA civil penalties that was included in last year's budget summit agreement.

In fact, I wish that we could find more money for this program. Over the past 10 years, consultation programs across the country have experienced large reductions in the consultation staff. Moneys available to OSHA for the consultation effort have not kept pace with inflation. In Arkansas, the consultation program would have received \$324,673 in additional funding this fiscal year if the program had kept pace with inflation.

I am sure the Senator from Wisconsin is facing the same situation. Before the Senator responds, however, I would like to echo my colleagues' concerns regarding increasing the reporting requirements for businesses employing fewer than 10 employees.

Mr. KASTEN. The Senator from Arkansas is correct. If funding for the program had kept pace with inflation, Wisconsin would have received close to \$600,000 in additional funding.

In fact, I received a request a few days ago from the Wisconsin State Laboratory of Hygiene for help in securing additional funding for the Wisconsin Occupational Health laboratory. Since 1975, the laboratory has provided analytical laboratory services to most of the States which have the consultation program. The lab needs \$450,000 for additional capital equipment.

Even with the modest program increase included in the Senate bill,

States will only receive at the most \$50,000 or \$60,000 in additional funding. However, I know that the funding is too limited to provide any more money for the Wisconsin laboratory and the program.

I would like to make one last point. I find it ironic that the Labor Department requests \$1.3 million and 24 positions for implementing the higher civil penalties enacted in last year's budget summit bill, but does not provide such attention to helping small business comply voluntarily with the law so that they don't have to pay these fines.

Mr. HARKIN. I would say to the Senators that I support this program. I am aware that Iowa would receive over \$150,000 in additional funding if the program had kept pace with inflation.

I can assure the Senators that I will work with them to secure the additional \$2.5 million in funding provided in the Senate bill.

Mr. COCHRAN. I thank the chairman for his efforts I, too, have heard from my constituents regarding the merits of this program and hope that the additional funding can be retained in conference.

REPORT LANGUAGE CLARIFICATION ON STAR SCHOOLS

Mr. HARKIN. Mr. President, I want to take this opportunity to clarify a point contained in the Senate report accompanying H.R. 2707. The committee included under the Star Schools heading language to establish a statewide, publicly owned or controlled two-way interactive fiber optic telecommunications network, carrying voice, video, and data transmissions. The language inadvertently restricted eligibility to those networks having a point of presence in every community college, and in every public and private college or university.

The committee did not intend to qualify community colleges and public and private colleges or universities with the term every, to require that each such institution in the State participate, but rather it intended that the network touch each type of institution. In other words, the committee intended that the points of presence should include these types of institutions, but that they need not include every institution.

EXCEPTED COMMITTEE AMENDMENT ON PAGE 47, LINES 1 THROUGH 9

Mr. HARKIN. Mr. President, I ask unanimous consent that the following committee amendment be agreed to, and that is on page 47, lines 1 through 9.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. Mr. President, this is an amendment by the distinguished Senator from Oklahoma [Mr. NICKLES]. It has been cleared on this side.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the excepted committee amendment on page 47, lines 1 through 9, was agreed to.

Mr. HARKIN. Mr. President, I further ask unanimous consent that the bill, as thus amended, be considered as original text for the purpose of further amendment, provided that no points of order be waived by reason of this agreement.

Mr. COCHRAN. Mr. President, reserving the right to object, and I do not intend to object, this does not change the status of the committee amendments in terms of their being subject to further amendment; is that correct?

Mr. HARKIN. That is correct.

Mr. COCHRAN. I have no objection. I withdraw my reservation.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

Mr. HARKIN. Mr. President, here we are. We would like to let Senators in their offices who may be following this know where we stand on H.R. 2707, the appropriations bill that is now before us.

It is the beginning of our third day of floor consideration. I hope we can finish very shortly and go to third reading maybe even by lunchtime or early afternoon.

At the present time, we know only of the possibility of several additional amendments that may be offered by the Senator from North Carolina [Mr. HELMS]. We know of the possibility of amendments from other Members, but it is just as likely at this point that those amendments will not be offered. We just have no way of knowing right now.

Again, Mr. President, we do not wish to foreclose any Senator from the opportunity of offering an amendment. We are here on the floor. We are available. They can come and offer amendments right now. In fact, Senator COCHRAN and I are the only two Senators here right now. So I ask Senators who have amendments to offer to this bill to please come over and offer their amendments.

Again, Mr. President, I hear around here all the time about 8 o'clock at night everyone is griping about how come we are here late. Senator COCHRAN is here. The Senator from Iowa is here. We are ready to deal with amendments and we are looking at an empty Chamber. If people get over here, offer their amendments, we can deal with them, finish this bill, and perhaps we can start getting out of here at a reasonable time at night.

If Senators do not come and offer amendments, if Senators do not indicate that they do not want to offer an amendment, we just cannot keep going on the basis of rumors. That is what I have heard. I heard rumors there are Senators who want to offer amendments. Well, are Senator COCHRAN and I supposed to sit here all day because there are rumors floating around that

people want to offer amendments? That is not fair to Senator COCHRAN. It is not fair to the Presiding Officer. It is not fair to other Senators who have their agendas and want to get on with their business today.

So I hope that we can get on to third reading as soon as possible today. I understand that Senators have schedules to meet and some things may interrupt it. I understand that. I understand the flow of business in the Senate and how busy Senators are. But, my gosh, we have been here 3 days. We sat here yesterday for quite awhile and did not have anything and here we are again this morning.

As soon as I get finished speaking, I will yield to any Member who has an amendment. But if they do not show up, we are just going to be sitting here waiting. So I hope other Senators will come over.

Otherwise, it is my understanding, if I am not mistaken, Mr. President, that if we are sitting here and we are not in a quorum call and nobody seeks to offer amendments that the Chair could go to third reading.

Well, I can tell you that if Senators do not get over here pretty soon and start offering amendments, and we only hear rumors, this Senator will not feel obligated to protect anyone's right if the Chair wants to go to third reading. Obviously, now, we will wait for awhile. But I hope that Senators would come over and offer amendments.

With that, Mr. President, I suggest the absence of a quorum and we will sit here.

The PRESIDING OFFICER (Mr. AKAKA). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, it is my purpose today not to offer an amendment but rather to put into historical and political perspective an issue within this legislation having to do with the Federal Government's commitment to assist States in the cost of the transition of large numbers of formerly illegal entrants into a naturalized U.S. citizen or permanent resident. The history of this goes back into the early 1980's. There were a series of commissions which focused on the breakdown in America's immigration law. Identified was the fact that we had an unknown number but estimated in the ranges of 3 to 6 million illegal entrants within the United States, most of them having been drawn by the economic magnet of America, some for political reasons.

There were efforts made in the early and mid-1980's to deal with this issue. It was not, however, until 1986 that the necessary consensus of opinion—con-

sensus within the Nation, consensus between the Congress and the Presidency, and within the Congress itself—occurred in order to make the passage of legislation possible.

That 1986 legislation had a number of significant features. Among those was a grant of amnesty to aliens who had resided continuously in the United States prior to January 1, 1982, and for seasonal agricultural workers who had worked 90 days in agriculture between May 1985 and May 1986. It was recognized that this grant of amnesty would have, among other things, some serious financial implications. An undetermined but significant number of persons who had not previously been eligible for various public assistance programs in education, health care, and job training would now become eligible as a result of this amnesty program. Many of those programs were administered either totally at the State level or through some form of Federal-State partnership.

I was Governor of the State of Florida during much of this debate in the 1980's and was chair of the National Governors' Association Committee on Immigration and Refugees. I represented a State which was significantly affected by this 1986 legislation.

Prior to 1986, one of the stumbling blocks for passage of legislation had been: How would the cost of financing this transition from illegal to legal status be borne? It was the original position of the States that since it was the Federal Government's immigration policy, or failure to enforce immigration policy that had resulted in this large number of illegal persons being in the United States, that the Federal Government should pay the full cost of transition.

The States, however, eventually agreed to this sharing arrangement. They agreed to a 7-year program under which the States and local governments would be partially reimbursed for their transition costs. That reimbursement would come in the form of \$1 billion a year, beginning in fiscal year 1988 until a total of \$4 billion had been deposited in a trust fund. Those funds would be drawn down by the affected States based on regulations to be developed by the Department of HHS and submissions by the States for their proportionate share.

It was recognized that the cost of transition would likely be substantially more than \$4 billion, but any expenses beyond that \$4 billion would be the obligation of the States. It was also recognized that it would take more than 4 years to complete this transition period.

It was suspected that some of the illegal aliens would be reticent to apply for amnesty in the early part of the program; that there might be significant numbers who would be applying late in the amnesty window. Some of

these costs, such as health costs, education, and retraining, would likely take more than a few months or years in order to accomplish.

So the arrangement was a 7-year transition period, the Federal Government providing \$4 billion—\$1 billion a year during the first 4 years of that 7-year period—and then 3 years of no additional Federal funding, but in which the trust fund could be utilized for the balance of transition costs, the States being required to bear the burden for all costs above the \$4 billion.

As the program went into effect, there were some delays. There was a significant delay in the Federal agency's development of regulations.

So, for the first period, States were making their applications for reimbursement without knowing what the specifics of the rules would be. There were also some other bureaucratic sources of delay. The States built their plans on the expectations that the Federal Government would provide a total of \$4 billion, and they would receive their proportional share based on cost of delivering services and the number of illegal aliens within their State applying for amnesty.

In 1988 and 1989 fiscal years, the full \$1 billion was appropriated. In fiscal year 1990, however, over half of the promised funding was not appropriated. There was only \$450 million, rather than the \$1 billion, which was appropriated. The allegation upon which this reduction was made was that there was a surplus. The answer is that, yes, there was a surplus, because the whole program was predicated on a 7-year payout, as against a 4-year Federal payment into the fund.

So the fact that there was a surplus was not a surprise; it was part of the program design. Nevertheless, it was the basis upon which the administration recommended a cut in payments in fiscal year 1990 into the fund, and which the Congress, I think, improvidently incurred.

In fiscal year 1991, only \$433 million was appropriated into this fund, leaving a balance of \$1.2 billion beyond the 4-year period that originally had been contemplated. There was a commitment made in 1991, as there had been made in 1990, that the balance of the funds would be forthcoming, albeit beyond the original 4-year period of anticipated Federal payments for this program.

We are now at 1989, the year in which there was a commitment to appropriate \$1.12 billion to complete in the fifth year what was originally to have been a 4-year, \$4 billion Federal payment. What do we have in the bill that is before us today, the year in which the Federal Government was to faithfully fulfill its obligations to the States who entered into this partnership? The answer is zero money in fiscal year 1992, another promise to pay the States in 1993.

Mr. President, in May of this year the General Accounting Office, at the request of the chairpersons of the two subcommittees, Senator HARKIN and Congressman NATCHER, completed a study on what were the States' needs for fiscal year 1992. Did they need the full \$1.12 billion in fiscal year 1992 or could they continue to provide services at a lesser figure and defer again some of the \$4 billion of commitment?

The GAO study indicated that both from the perspective of the States and the Federal agency, the Department of HHS, Health and Human Services, the estimate was that the cost for 1989 would be \$450 million. Yet we are not only not appropriating the balance of \$1.12 billion that we committed to—twice we committed to—but we are not appropriating the minimal amount which at our own request the States and the Department of Health and Human Services and the General Accounting Office has stated to be the amount that is actually needed for the 12 months that would begin October 1 of this year.

What are the results of our action? The most immediate result is some States are going to have to shut down their program despite the promise of additional funding in 1993. The effect of that is going to be that an additional burden is going to be placed upon States which are already suffering some of the most severe budget crises in modern history. It means that people who we have stated we will give the assistance to move from poverty into the mainstream of participation in America through adequate education programs, job training programs, health programs, are going to be denied. That is a very serious statement in terms of the human condition.

Mr. President, there is another important statement that we are making on the political condition of America, and that frank statement is that the States cannot depend upon the Federal Government living up to its long-term financial commitments and obligations. Our federal system of government, which is now being looked to around the world, and most specifically within the Soviet Union, as a model of a relationship between its central government and republics, our Federal Government depends upon comity, trust, respect between the Federal Government and the States.

Many of our most important programs, education, health, environmental, transportation, and others, depend upon a functioning partnership between Washington and the 50 States.

Mr. President, how are we going to be able to tell the States that this is a partnership upon which they can rely, upon which they can make their own serious commitments to administer programs when they have the example of what we are doing today relative to this commitment of 1986?

With tremendous budget shortfalls, States cannot afford to take the risk that the Federal Government will fulfill its obligations.

Mr. President, I regret that Congress has thus far chosen to abrogate unilaterally the contract that it formed bilaterally just 5 years ago.

I have asked to be entered into the RECORD immediately after my remarks a colloquy with Senator HARKIN in which the Senator indicates this expectation that the Department of HHS would continue to provide the limited administrative resources to keep some heartbeat alive in this program in expectation that in 1993 we would live up to our commitments of 1986 and fully fund the balance remaining on this program.

I hold out some hope and optimism that will in fact occur, that we will see that this is not just a program providing assistance to millions of persons who we invited through an amnesty program to join the family of America, but also is a fundamental statement of the Federal Government's respect for and commitment to the 50 States from which the Federal Government was formed.

I appreciate Senator HARKIN's difficult task in attempting to accommodate within a constrained budget allocation many important programs for America. This is one of those programs that as of today is an orphan from that family, an unfunded Federal commitment.

I look forward to 1993, when we will meet our obligation and we will say to the States you can have confidence in Washington when it makes a commitment and we will repair the scar which currently exists on American federalism as a result of our failure today.

SLIAG

Mr. President, I have been clear in expressing my disappointment with the decision of Congress and the administration to defer funding again this year for State Legalization Impact Assistance Grants [SLIAG]. Without an appropriation for fiscal year 1992, there will also be an absence of funds for the Division of State Legalization and Repatriation [DSLRL] for SLIAG purposes.

SLIAG is a complex program which needs strong Federal oversight—including the review and approval of State cost claims, the operation of the Cost Document System [CDS], and the provision of monitoring and technical assistance. The Department of Health and Human Services [HHS] has expended approximately \$1.5 million a year ensuring the responsible implementation of this important program.

Even without a 1992 appropriation, several States will be drawing down funds in the coming fiscal year from past appropriations. In order to do so, and in order to ensure that the Federal Government only provides reimbursements for appropriate State expendi-

tures, DSLRL must continue to operate with sufficient resources.

I want to confirm with the distinguished chairman of the subcommittee that the funds appropriated in this bill for administrative expenses of the Administration for Children and Families within HHS are intended to include an adequate level of administrative support to DSLRL for SLIAG purposes in fiscal year 1992.

Mr. HARKIN. That is indeed our intention, and I thank my colleague from Florida for calling the Senate's attention to this issue.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from Illinois is recognized.

AMENDMENT NO. 1113

(Purpose: To call for a reconvening of the budget summit)

Mr. SIMON. Mr. President, I send an amendment to the desk in behalf of Senator HARKIN and myself and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Illinois [Mr. SIMON], for himself and Mr. HARKIN, proposes an amendment numbered 1113 to the excepted committee amendment on page 3, line 24.

Mr. SIMON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . (a) The Senate finds that—

(1) changing world realities, particularly recent events in the Soviet Union, have provided our country with an historic opportunity to reexamine our budget priorities;

(2) in the next fiscal year, our Nation will still spend \$295 billion on defense, despite enormous changes taking place in the world, even before the Soviet coup of August 19;

(3) our Nation faces urgent, unmet domestic needs in every area, including housing, education, and health care;

(4) the economy of the country continued to decline throughout the summer and more than 8½ million people are currently unemployed;

(5) the 1990 budget summit agreement prevents Congress from making any major changes in spending priorities until 1994;

(6) the 1990 budget summit agreement has failed to restrain our skyrocketing budget deficit; and

(7) a bipartisan overhaul of the 1990 budget agreement is needed, to outline new budget priorities which accurately reflect the new world order and our nation's pressing domestic needs.

(b) It is the sense of the Senate that the President of the United States should summon the Democratic and Republican leadership of the Congress and reconvene the budget summit to discuss possible budget revisions for fiscal year 1992, and to revise the congressional budget process for fiscal year 1993 and subsequent years, in order to reflect new world realities and new domestic priorities and to achieve significant reductions in the Federal budget deficit.

Mr. SIMON. Mr. President, this amendment is simply a sense-of-the-Senate resolution that says that the President should summon the Democratic and Republican leaders and have a budget summit to modify the budget agreement that we now have.

The world has changed dramatically in the last 3 weeks, and for us simply to blithely go along and spend money as we did before without recognizing the changed world I just do not think makes any sense at all.

The amendment is very general in nature. Let me just read the concluding sentences here.

It is the sense of the Senate that the President of the United States should summon the Democratic and Republican leadership of the Congress and reconvene the budget summit to discuss possible budget revisions for fiscal year 1992—

It does not say that has to happen, though frankly I think we should—

and to revise the congressional budget process for fiscal year 1993 and subsequent years, in order to reflect new world realities and new domestic priorities and to achieve significant reductions in the Federal budget deficit.

That is it.

I am not wedded to any language. But it seems to me it is general enough. It is common sense. We ought to be doing it.

I would like to have printed in the RECORD a letter from the U.S. Conference of Mayors endorsing this. I would like to insert into the RECORD a letter from the Council for a Livable World, and to insert into the RECORD a letter from OMB Watch, in behalf of this, and a statement in behalf of the proposal by Gov. Mario Cuomo in behalf of this. I ask unanimous consent to print all of these in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE U.S. CONFERENCE OF MAYORS,
Washington, DC, September 11, 1991.

DEAR SENATOR: The Nation's cities have experienced more than a decade of neglect from the Federal Government; Federal funds for key urban domestic programs have been slashed at the very same time that cities' tax bases have been dwindling and urban ills such as homelessness, drugs, and violence have been escalating.

The U.S. Conference of Mayors, representing mayors of cities over 30,000, strongly urges you to reject the constraints imposed by last year's budget agreement and calls upon Congress and the administration to undertake a serious shift in Federal funding priorities from the defense budget to the domestic needs of our Nation.

The U.S. Conference of Mayors strongly supports the sense-of-the-Senate resolution which will be offered by Senator Simon as an amendment to the Labor-HHS appropriations bill.

As President of the U.S. Conference of Mayors I pledge our bipartisan support to you in this effort. The cities need your help

now. We cannot wait any longer. Please support the Simon amendment.

Sincerely,

RAYMOND L. FLYNN,
President, Mayor of Boston.

COUNCIL FOR A LIVABLE WORLD,
Washington, DC, September 11, 1991.

Hon. PAUL SIMON,
U.S. Senate, Washington, DC.

DEAR SENATOR SIMON: Council for a Livable World enthusiastically endorses your sense-of-the-Senate amendment to the Labor-Health and Human Services Appropriations bill urging new budget negotiations to revise last year's budget summit agreement.

The budget deal negotiated last year is clearly out of date. It merely provides modest reduction in real growth in Pentagon spending, an agreement drawn up for an entirely different world environment than exists today. Secretary Cheney's five-year military budget plan was designed primarily to cope with a continuing Soviet threat.

The failed coup last month confirmed the demise of the Communist system in the Soviet Union and the end of the military and political competition that drove up our security costs. The Philippine Senate vote to reject the Philippines base agreement, combined with the Mount Pinatubo eruption, has reduced another American overseas burden. The completion of the START and Conventional Forces in Europe agreements can lead to still further reductions in weapons and personnel.

The Simon amendment is a good first step away from a bad budget deal. We urge its adoption.

Yours sincerely,

JOHN ISAACS,
President.

OMB WATCH,
Washington, DC, September 11, 1991.
Hon. PAUL SIMON,
Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR SIMON: On Thursday, September 12, Senator Paul Simon is expected to introduce a resolution calling for the budget summit between Congress and the President to be reconvened in light of changed circumstances. We urge you to vote for Senator Simon's resolution. We believe that economic conditions at home and events abroad call for a reassessment of the discretionary spending limits established in the Budget Enforcement Act (BEA) as well as the Act's emergency spending provisions.

The continuing recession has resulted in unemployment remaining high. According to the latest figures for the month of August, unemployment remained at the July level of 6.8 percent. Yet the provisions of the BEA have enabled the President to sign a bill to provide emergency benefits without declaring the emergency necessary to provide the funds. Congress has yet to overcome this obstacle. There is still no foreseeable end to the recession, with the Congressional Budget Office warning that the possibility of a "double-dip" recession cannot be ruled out. Congress is unable to respond with countercyclical spending because of the BEA. The States are facing historic fiscal crises with Congress unable to help them since fiscal policy is constrained by the BEA. Meanwhile, cataclysmic events are occurring in the Soviet Union which could finally allow us to realize the long-promised "peace dividend," except that Congress is unable to respond to them: its hands are "tied" by the budget summit agreement.

We believe that Congress has a responsibility to respond to the needs of the country and to events around the world by reconvening the budget summit. We believe that Congress cannot continue to abide by an agreement which is increasingly becoming obsolete and prevents the Nation from effectively responding to changing times and domestic crises. We urge you to support Senator Simon's resolution.

Sincerely,

GARY D. BASS,
Executive Director.

STATEMENT ON SENATOR SIMON'S BUDGET PROPOSAL, SEPTEMBER 10, 1991

I commend Senator Paul Simon for calling on President Bush to reconvene the Budget Summit to renegotiate last year's budget agreement. It has been increasingly evident that this agreement tied the hands of the Congress to address the urgent needs of the Nation and the profound changes in Eastern Europe and the Soviet Union.

At a time when the recession has pushed 10 million Americans out of work, when 30 million Americans have no health insurance, when 12 million children are trapped in poverty, and when AIDS, homelessness, and substance abuse threaten the survival of our cities, Congress has been unable to respond.

Moreover, the 1990 budget agreement committed the expenditure of more than \$1.4 trillion on defense over 5 years. Spending for defense of this magnitude was unwarranted in 1990 at the dawn of a new world order and is clearly excessive today given the events in the Soviet republics over the last few weeks. Unless the budget agreement is changed, savings in the defense budget will continue to accrue to the defense account—at the expense of domestic needs and at the expense of urgently needed humanitarian aid.

Now, with the collapse of the "Evil Empire", it is apparent that we should not wait until after the 1992 election—certainly not until 1994—to reorder our priorities in recognition of the crisis we face at home and the end of the major threat from abroad.

I hope others in the Congress will follow Senator Simon's lead and call for changes to the 1990 budget agreement. I firmly believe that the budget process can be changed to better reflect national priorities while retaining the fiscal discipline that is essential to our economic health.

In addition, I recommend that Congress take immediate action on two proposals pending in Congress. First, I wholeheartedly support Senator Tom Harkin's amendment to shift \$3 billion in unobligated defense funds to health, education, and other domestic needs. Second, I support the proposal being advanced by Representatives Gephardt, Aspin, and Fazio in the House to provide humanitarian aid to the Soviet republics by shifting funds from the defense to the international category of the budget. These are two interim steps Congress can take as the reconvened Budget Summit meets to negotiate a budget that reflects the new world realities.

Mr. SIMON. Mr. President, I do not think I need to go into great detail here. We know about the deficit. We know it ought to be brought down. We have an opportunity now to do this.

We are now spending \$295 billion, or scheduled to, on defense, most of it for a possible Soviet invasion of Western Europe. We are more likely to see the disintegration of the Soviet Union. And I do not know of a military person any-

where who thinks the Soviet Union is going to invade Western Europe.

I want a strong defense. I want a good, strong, flexible, conventional defense that can respond to the Iraq-Kuwait kind of situation.

But I also want a strong domestic economy. And that means getting a hold on the deficit; it means paying attention to the needs of our cities and our rural areas; it means paying attention to education; it means paying attention to health care, health research, housing needs, all kinds of things. I could go on, Mr. President.

I am willing to work out—I say to the staff members on the Republican side—I am willing to work out a time agreement here. I want to be reasonable. But I also think it is reasonable that we take another look at our budget priorities. It does not mandate anything. It is a sense-of-the-Senate resolution. If we can adopt it by voice vote, that is fine. But I want to see it adopted. I want to send a message to the President. I think the Senate ought to make clear that we recognize the world has changed, that we are not indifferent to that.

Mr. President, if no one else seeks the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FORD). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I want to support the resolution that has been offered by Mr. SIMON, but I cannot support it unless there are some changes made in it. I have discussed the problems I have with it with Senator SIMON, and I believe that he is agreeable to modifying his resolution. Let me state them for the RECORD.

Paragraph 6 of the resolution reads as follows:

The 1990 budget summit agreement has failed to restrain our skyrocketing budget deficit.

Mr. President, our skyrocketing budget deficit is not the result of failure on the part of the 1990 budget summit agreement. I will not support a resolution that casts that reflection on the summit agreement. We did the best we could with the circumstances that were before us at that time.

The skyrocketing budget deficit is in great measure caused by developments such as the savings and loan debacle and the recession. The recession has had a great impact on the deficit. And so let us not attribute to the budget summit agreement the failure to restrain the skyrocketing budget deficit.

Second, I do not believe that we should be enacting a sense-of-the-Senate resolution calling on the President

to summon a reconvening of the budget summit. We do not need a formal reconvening of the budget summit now.

I recognize that things have changed, and that events that have occurred subsequent to the summit have had a major impact on the future outlook. I think it is quite all right for the President of the United States to sit down with the congressional leadership and discuss possible modifications to the agreement. But I would urge that we not adopt a resolution calling on the President to formally convene another budget summit at this time.

Perhaps some modifications are called for, and they probably are. I would probably support some modifications. I think they ought to be discussed between the President and the congressional leadership, certainly on an informal basis at this point, certainly not in the context of a formal reconvening of the budget summit at this point.

I also feel that such a discussion might be helpful in orienting us in a direction other than the piecemeal approach, such as the one yesterday in which there was an amendment offered to take from Defense several billion dollars and apply it to domestic discretionary spending. I would like to see a lowering of the Defense budget. I would like to see more money spent for domestic discretionary initiatives. But we cannot adopt a piecemeal approach like we were about to do yesterday. There ought to be a logical, methodical, reasonable, workable, approach in bringing about any modification. It should not be piecemeal at this juncture.

I make these statements for the RECORD, hoping that other Senators will be in accord with my views on these two points.

I see the distinguished Senator from Illinois is wanting me to yield. I am happy to yield.

AMENDMENT NO. 1113, AS MODIFIED, TO EXCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 3, LINE 24

Mr. SIMON. I thank the distinguished Senator from West Virginia. He has made two suggestions that I think are constructive suggestions. No. 1, by implication, that point No. 6 could suggest—and it was not the intent, but I can understand how it could be read to blame the budget summit for the deficit. The simple way is to simply knock that out, and I will be submitting a modification to the clerk in just a moment. And to make No. 7 No. 6.

And then, again in line with the suggestion of Senator BYRD:

It is the sense of the Senate that the President of the United States should work with the Democratic and Republican leadership of the Congress to seriously consider possible budget revisions. * * *

I apologize to the Republican staff members. I did not have a chance to go over this after discussing this with

Senator BYRD. But it seems to me that may satisfy everyone. I hope it is something that could be acceptable, and I modify my amendment in that regard.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

SEC. . (a) The Senate finds that—

(1) changing world realities, particularly recent events in the Soviet Union, have provided our country with an historic opportunity to re-examine our budget priorities;

(2) in the next fiscal year, our Nation will still spend \$295 billion on defense, despite enormous changes taking place in the world, even before the Soviet coup of August 19;

(3) our Nation faces urgent, unmet domestic needs in every area, including housing, education, and health care;

(4) the economy of the country continued to decline throughout the summer and more than 8½ million people are currently unemployed;

(5) the 1990 budget summit agreement prevents Congress from making any major changes in spending priorities until 1994; and

(6) a bipartisan overhaul of the 1990 budget agreement is needed, to outline new budget priorities which accurately reflect the new world order and our Nation's pressing domestic needs.

(b) It is the sense of the Senate that the President of the United States should work with the Democratic and Republican leadership of the Congress to seriously consider possible budget revisions for fiscal year 1992, and to revise the congressional budget process for fiscal year 1993 and subsequent years, in order to reflect new world realities and new domestic priorities and to achieve significant reductions in the Federal budget deficit.

Mr. BYRD. I thank the Senator. I have always found him to be most cooperative and considerate.

I think this helps. Certainly from my point it does. Nobody would claim—and nobody, I hope, ever thought—that the budget agreement would result in a zero budget deficit very soon. It was not expected to be a cure-all.

I said at the time we adopted that agreement that we could expect to see the national debt continue to increase and interest on the national debt, as well as future deficits. But I think we have to look at it from the standpoint of where we would have been had we not had a budget summit. The deficits would have been even greater than they are.

I think it was a helpful step. I have explained the day before yesterday on this floor, the reasons why we had to go to a summit—we were faced with a situation at that time in which there was going to be an \$85.4 billion sequester, half of which was going to come out of defense, half of which would have come out of nondefense items. It would have been across the board. It would not have been selective. We were faced with a fait accompli. We had to go to a summit in order to keep that

sequester from happening. We went to the summit and everybody gave a little and took a little, and we worked out an agreement finally that the President would support and that the congressional leadership on both sides would support.

But, if there are those who wish to blame the summit agreement for the skyrocketing deficits, they really ought to take another look at the record.

Mr. SIMON. If my colleague will yield?

Mr. BYRD. Yes.

Mr. SIMON. I agree with the President pro tempore in his comments completely. This was by no means an attempt to place blame. The budget summit, in fact, restrained spending and the deficit would be greater but for the budget summit, and I think we all recognize that.

Mr. BYRD. I thank the distinguished Senator.

Mr. SIMON. May I say to my colleagues on the other side of the aisle, I am willing to do this by voice vote or enter into a time agreement.

The PRESIDING OFFICER. The Senator from Illinois must be recognized if he wants to make a motion. Otherwise, does he seek the floor?

Mr. SIMON. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I had not been aware of this amendment. I think it is fair to say I do not know how many people on our side had been aware of it. I think there are some real problems with what we say in the "finding" section of it.

I think also that the whole thrust of this amendment is that, first, we ought to declare a peace dividend by cutting defense again. I think that is something that was the subject of very real debate on the floor the other day. My own feeling is that we ought to stay with this year's defense number, which has already been cut by 25 percent as part of a 5-year program, gather more information about what is happening in the Soviet Union, and make the decision next year.

The second thing that this amendment does is that if you look at the findings, it really prejudices the conclusion of such a summit toward the idea that we ought to increase domestic spending. I, for one, believe that if there is a peace dividend, we ought to apply part of that to reduce the deficit, and we ought to give the rest back to the working men and women of America by raising the personal exemption so that the American family can spend more money on housing, on education, on health, and on other things that are important to them.

I suggest, rather than everybody running all over to the floor to debate this and delay the bill, that if we could perhaps set this amendment aside until

some point this afternoon to give everybody over here an opportunity to look at it, it may very well be that, with some changes in the finding, we can all agree to this.

As for the findings on the summit agreement, I agree with the distinguished majority leader. Nobody is more unhappy about the deficit than I am, but had there been no summit agreement, the deficit would have been bigger.

So the idea that it failed, I think, is just bad wording, and perhaps we could put in here a statement of principle, that as we look at defense spending we ought to weigh all options from deficit reduction to tax cuts to spending. Maybe we can come up with something everybody could support.

As of right now I do not support this. I am just afraid that by the time we get in touch with all of our people, we will have wasted 2 hours that we could use moving with the bill. And if it could be set aside I think it would be beneficial.

Mr. BYRD. Mr. President, I merely suggest that the Senator may wish to correct the RECORD to remove the pre-eminently great compliment that he paid me. I am no longer the distinguished majority leader.

Mr. GRAMM. I am sorry. In my mind, Mr. President, that is fixed.

Mr. SIMON. Mr. President, if my colleague from Texas will yield?

The PRESIDING OFFICER. The Senator may proceed.

Mr. SIMON. Mr. President, the one offending clause, 6, there, that my colleague mentioned, I have dropped from that. I think the Senator's point is well taken. Senator BYRD made that same point.

And I have changed the language under the sense of the Senate so it now reads:

It is the sense of the Senate that the President of the United States should work with the Democratic and Republican leadership of the Congress to seriously consider possible budget revisions.

But, again, I am not wedded to any. I think we have to reexamine where we are. That is the intent of this.

I gather the Senator from Texas is not opposed to doing that, so I hope we can work something out. I am willing to set this aside. I do not know the correct procedure.

Mr. President, I ask unanimous consent, unless there is objection, to set this aside for a period of 2 hours and then people can take a look at this. I make that request, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment of the Senator from Illinois has been set aside for 2 hours.

Mr. BYRD. Mr. President, I thank the distinguished Senator for the action he has taken to revise his amendment.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I thank the Chair.

AMENDMENT NO. 1114

Mr. HELMS. Mr. President, shortly I will send an amendment to the desk which proposes to take \$10 million the National Institutes of Health has targeted for two different national sex surveys this year and use that money—instead of wasting it as NIH proposes—to fund title XX of the Adolescent Family Life Act. Title XX, as I understand it, has been authorized but it has not been funded. This amendment will provide Senators with a clear choice between right and wrong.

With that preface, I send this amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. Is there objection to laying aside the pending committee amendment?

Mr. HELMS. It was my understanding from the manager of the bill that there was no amendment pending, but if one is pending, I ask unanimous consent that it be laid aside.

The PRESIDING OFFICER. The Chair hears none. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 1114.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 25, line 8, strike the period and insert the following: "Provided, however, That funds made available under this heading to conduct the SHARP survey of adult sexual behavior and the American Teenage Survey of adolescent sexual behavior shall instead be expended, at the same outlay rate, to carry out title XX of the Public Health Service Act."

Mr. HELMS. I thank the clerk for his courtesy.

Mr. President, let me reiterate that this amendment will give Senators a choice between two very different proposals. Senators can, on the one hand—if they support this amendment—vote to support title XX, which happens to be the only federally funded sex education program that counsels our children to abstain from having sexual relations until they are married. This is

the only Federal program that does that, and it is not being funded under this bill.

What is being funded—and I want to take the money away from it—is NIH's proposal for national sex surveys. I am going to get into that in some detail and some of it is going to sound a little bit raw. But I think the record needs to be clear about what is happening on the one hand and what is not happening on the other in the expenditure of the American taxpayers' money.

The NIH funds these sex surveys—the real purpose of which is to “cook the books,” so to speak, in terms of presenting “scientific facts”—in order to do what? To legitimize homosexual lifestyles of course.

Mr. President, let me just say that I am sick and tired of pandering to the homosexuals in this country. If anybody wants me to go into detail of why, I will be glad to do that.

The pending amendment presents a clear choice, therefore, between support for sexual restraint among our young people or, on the other hand, support for homosexuality and sexual decadence. That is as clear as I can make it.

Mr. President, the sexual liberation crowd is pushing our children into the mode of having sex at younger and younger ages as they move their sex education agenda into the elementary schools. Of course, the liberal free sex agenda is often camouflaged as so-called AIDS education. But the intent and purpose, the effects, are the same—to desensitize children at younger and younger ages to immoral sexual lifestyles.

That is why the teenage pregnancy rate is growing. That is why it will continue to grow as long as the Federal Government uses the taxpayers' money to support programs to tell kids that having sex is OK as long as it is so-called safe sex. I say baloney.

By funding these so-called sex education programs in the schools—which really amount to little more than how-to sex clinics—we are essentially telling our young people that promiscuity is just fine as long as they are, to use the liberals' phrase, “contraceptively prepared” for it.

The legislation before us, Mr. President, the underlying legislation, effectively kills title XX—the only Federal program that makes a stab at telling kids, “Don't do it. Wait until you are married.”

The pending bill, if this amendment is not passed, will kill title XX because, as I say, title XX has been authorized but the Appropriations Committee provided no money to fund it.

Title XX of the Public Health Service Act is called the Adolescent Family Life Program, and the homosexuals hate it, and the free sex crowd hates it because, as I said earlier, it is the only voice of reason and morality in the sex

education debate. That is why it is the one Federal sex education program that is not being funded under this bill. I say to you, Mr. President, this is an outrage.

The Title XX Program's message—the program that is not being funded under this appropriations bill now pending—is that it is healthier—physically, psychologically, and from an economic standpoint—to forego sexual relations until marriage. And, Mr. President, that message is anathema to the crowd, for example, that went out to my house in Arlington, VA, last week and stretched a big canvas condom over the top of it. They do not like me and I do not like them.

I am not going to support them. I do not want to take any of their legitimate rights away from them, but neither do I want to give them preferential treatment.

Mr. President, the “sex liberation” crowd also hates the fact that the \$10 million Adolescent Family Life Program's resounding success makes the abject failure of the liberals' \$140 million title X so-called Family Planning Program stand out. You do not need to take my word for it. For example, a former Deputy Assistant Secretary for Population Activities at the Department of Health and Human Resources said last year that the Adolescent Family Life Program—which the bill now pending will kill if my amendment is not passed—

*** has demonstrated declines in pregnancies, abortion, and birth rates over the last 3 years, and evaluation of the pregnancy rates of eighth grade female program participants against a matched comparison group shows that 5 percent of program participants became sexually active by the end of the school year compared to 15 percent in the other group.

By contrast, Mr. President, millions of tax dollars have been wasted during the past two decades under the liberals' Title X Program on the premise—and it is false—that the best way to prevent teenage pregnancy is to provide children with free and ready access to contraceptives. Well, let us look at the results. They speak for themselves.

After 20 years, more teenagers than ever are getting pregnant and having abortions, and I might add at a catastrophic rate. Planned Parenthood admits this. They admit that very few sexually active teenagers have not used contraceptives. Indeed, the universal availability of contraceptives, and the courses showing our teenagers how to have sex so they can use them, has encouraged, not quelled, the explosive rise in teenage sexual activity.

What the Nation has seen is greater pregnancy rates and, of course, greater abortion rates to eliminate—I guess Planned Parenthood would call them “accidents.”

Mr. President, Planned Parenthood claims that in 1987 there were 200,000 fewer births of babies to teenagers than

in 1970 as a result of title X funding. But they neglected to tell us the facts that totally negate their self-serving report.

For example, Planned Parenthood—which grabs at Federal funds every time you turn around—just happened to overlook telling us the fact that there were 400,000 fewer adolescents in 1987 than in 1970. They also failed to mention that even with 400,000 fewer teens, there were still 250,000 more abortions performed on teenagers in 1987 than in 1970. They just overlooked these few minor details. It was not intentional. If anyone believes that, they will believe anything.

But Planned Parenthood also failed, Mr. President, to report that the teenage pregnancy rate in 1987 showed a large increase compared to 1970, or that the number of illegitimate births to unmarried teenagers increased—what do you guess—53.5 percent during that period of time.

So the bottom line on Planned Parenthood's statistics, Mr. President, is that all of the problem rates went up into the stratosphere except for the overall teenage birth rate—which Planned Parenthood kept down by increasing the teenage abortion rate. In other words kill the babies, and then you do not have so many births. That is the way Planned Parenthood works. That is the reason I object to even a dime of the taxpayer's money being given to Planned Parenthood.

I do not think it is logical to expect Planned Parenthood—which is a multi-million-dollar corporation that makes millions of dollars every year performing abortions on pregnant teenage girls—to do an enthusiastic job of discouraging teenage girls from getting pregnant. Planned Parenthood's own statistics show that this flawed arrangement between Planned Parenthood and the Federal Government has not and will not work.

Mr. President, the simple fact that the pregnancy rate—as opposed to the birth rate—has not gone down after 20 years is testimony enough to the failure of the policies supporting the Title X Program. It is also an indictment of those who have such a devil-may-care attitude about the emotional and physical well-being of our Nation's youth that they would presume to continue a failed program, even as they seek to eliminate the only program that really works—title XX, the Adolescent Family Life Program. That is what this amendment is all about.

Mr. President, I want to take a moment to look at the national sex surveys that my amendment, now pending at the desk, would defund—that is, take the money away from them so that the money can be shifted to the successful Title XX Program.

As I said before, the American public should understand that the real purpose behind the current sex survey pro-

posals is not to stop the spread of AIDS. The real purpose is to compile supposedly scientific facts, if you will, to support the leftwing liberal argument that homosexuality is a normal, acceptable lifestyle; they would have us believe that it is not abnormal.

I say baloney. They have their rights, but that does not discount the fact that they are perverted and that is what they want to cover up. However, despite their sexual perversion, they demand the rest of us respect their lifestyle.

As long as I am able to stand on the floor of the U.S. Senate, I am never going to yield to that sort of thing, because it is not just another lifestyle. It is sodomy.

In any case, these purportedly scientific Government surveys will be cited time and time again in attempts to destigmatize homosexuality by portraying it as normal, just another lifestyle.

However, if the very homosexual practices that currently account for 80 to 90 percent of the Nation's AIDS cases are given free license in this country, then we should be prepared for an increase, not a decrease, in the number of AIDS cases.

I know enough about the history of AIDS in this country to recall that the Centers for Disease Control in Atlanta, GA, can pinpoint the first case of AIDS that came into this country. It was brought in by a male airline attendant, and he started the spread of AIDS.

I was condemned by some newspaper editor because I stood where I stand today, and I said, "If the homosexuals will stop doing what they are doing, we can get AIDS under control." But we cannot, and we will not, get AIDS under control as long as there is a trend toward giving the homosexual community rights that they do not deserve, and Federal dollars that the American taxpayers should not be required to cough up.

In short, the results of the proposed Federal sex surveys will be used to legitimize the very behavior that accounts for the overwhelming majority of AIDS cases in this country.

From a scientific perspective, Mr. President, sex surveys—by their very nature—are neither objective nor scientific because, on average, 40 to 60 percent of the people asked to participate in them will refuse. I would refuse as would most everyone else in this Chamber.

However, the Centers for Disease Control say that any refusal rate higher than 15 percent for participating in any survey will skew a survey's result a minimum of 50 percent.

Mr. President, the participation rates for sex surveys are so low because most Americans' natural modesty keeps them from voluntarily answering questions about how often they engage in relations, with whom, their preferences

for sexual partners, and which sex acts they prefer. If you can believe it, all of that is in the surveys in embarrassing detail.

(Mr. WELLSTONE assumed the chair.)

Mr. HELMS. Therefore, the inherent scientific flaw in any so-called sex survey is that only people with a desire to share the graphic details of their sexual intimacies, whether real or imagined, will even participate in such survey.

Such a limited group of participants—who are anything but modest—will have profound biases in favor of loose or perverted sexual behavior and, thus, can never be said to be scientifically representative of mainstream sexual behavior.

For example, Mr. President, what kind of parent is going to allow his or her teenage child to answer the following questions from the NIH's proposed teenage sex survey?

Here are some of the questions, and I hope I will not offend anybody watching on television or in the galleries or elsewhere, but I said at the outset that in order to try to make my case, I was going to have to be a little bit graphic in my remarks here today.

Here's one of the questions the liberal's want to ask our children in the 7th to 12th grades.

Have you ever rubbed another man's penis to sexually excite him?

And the next one I hate to say in front of the Senate pages, but it needs to be said. Another question, and these are just two examples of hundreds of questions each child will be asked.

Have you ever had your partner's penis up your rectum?

Now, come on, Mr. President. How degrading can we be in the awarding of the American taxpayers' money? Are we going to pay for garbage like that? For that matter, what kind of parent would answer such questions himself or herself, let alone allow his or her child to answer them?

Nevertheless, the questions from the proposed teenage sex survey go on and on in graphic detail about all kinds of sexual acts, many, if not most of them, perverted. So any parent who would allow his or her child to read these questions, let alone answer them, raises questions about the parent. I do not believe many fit parents would do it.

The shocking nature of these questions make it obvious why 40 to 60 percent of Americans traditionally refuse to participate in this kind of survey. Yet we are being asked to fund this and call it scientific, when it in fact is not scientific. It is utter debasement is what it is. And we are sending the research bill to the American taxpayers—and I jolly well think the taxpayers resent it.

Mr. President, the inherently flawed scientific methodology of these kinds

of surveys does not deter the avidly prohomosexual members of the scientific community, not by a longshot; no, sir. They know that sexual deviates and perverts and homosexuals will be disproportionately represented in every sex survey. In fact, that is what they are counting on. They want to buttress their political and social arguments that homosexuality is not deviant behavior by citing such supposedly "scientific"—and again, I want to put "scientific" in quotes, because there is not anything scientific about it; it is a ploy—such "scientific" federally fund surveys, to say that 1 in 10 or 1 in 5 people in the population are homosexuals, and that is just not so.

Such deception and misrepresentation have been endemic in these surveys from the very beginning, starting with Alfred Kinsey's original sex survey back in the 1940's—the survey that is the original source for the oft-cited statistic that 1 in 10 people—1 out of every 10 people—is homosexual.

Mr. Kinsey knew before he started what he wanted his survey to prove. So he never publicized the fact that he surveyed mostly homosexuals, prisoners, and college students, an obviously nonrepresentative sample of the general American public.

Despite this fact, Dr. Kinsey passed his findings off as being representative of the population as a whole, not just of the crowd—what is the word—subset, that he chose to interview.

Mr. President, the community of these sex survey "scientists" has itself acknowledged the real purpose behind Kinsey's deception. Just a few years ago as part of a National Research Council report, the so-called sex "scientists" stated that Alfred Kinsey's, and let me quote:

*** claim for the legitimacy of science in the area of sexuality was an attempt to change the rules of the game that defined what conduct was normal and what was abnormal.

So you see, Mr. President, sex surveys from the very beginning have been a fraud; a fraud. The American taxpayers, directly and indirectly, have usually been required to pay for them.

But these sex surveys have not—have not—been concerned with legitimate scientific inquiry as much as they have been concerned with a blatant attempt to sway public attitudes in order to liberalize opinions and laws regarding homosexuality, pedophilia, anal and oral sex, sex education, teenage pregnancy, and all down the line. And this tradition of fraudulence continues to this day.

For instance, the Federal Government's supposedly objective investigators for the proposed SHARP survey of adult sexual behavior are anything but unbiased. These are the Government's proposed investigators, hired and paid for by the American taxpayer.

Let me tell you a little bit about them. One of the three investigators is

a fellow named Stuart Michaels, a former chairman of the American Sociological Association's Lesbian and Gay Caucus. Do not try to tell me that he is objective. Do not try to tell John Q. Public that he is objective.

Another one of the investigators is John Gagnon, who has been an adviser or board member of various organizations, among them the National Organization for the Repeal of Marijuana Laws, the National Sex and Drug Forum, and the Institute for the Advancement of Human Sexuality. Let me read you a quote from Mr. Gagnon's 1977 book, titled "Human Sexualities." I am quoting directly from the book.

The horror with which society views the adult who has sexual contact with young children is lessened when one examines the behavior of other mammals. Sexual activity between adult and immature mammals is common and appears to be biologically normal.

That fellow does not have all four wheels on the ground. His elevator does not go to the top. He is nuts. And yet, he is regarded as a scientific expert. Do not tell John Q. Public that he is.

Yet, this is the kind of guy that the American taxpayers are being required to fund at the same time the U.S. Senate proposes to cut off program funding for the only Federal project that is successfully teaching young people to be moral and clean until they get married, and then to have sex.

Mr. Gagnon may be right, Mr. President, but not in the way he thinks. Most Americans, I think, would agree with my observation that any adult who has sexual contact with a child or children is indeed an animal and ought to be treated as such.

Mr. President, with people of this caliber conducting these surveys, the results of the surveys can never be trusted because it is a brainwashing job to deceive us into believing—if we are willing to stand still for it—that homosexuality is just another lifestyle, and that it is a so-called "hate" crime to be critical of homosexuality. But if it is a crime, open up the prison doors, because I am going to continue to commit that crime.

The question is inevitable: Why does the NIH propose wasting money on people and projects like this? I will tell you why. It is because the surveys are part and parcel of the homosexual movement's agenda to legitimize their sexual behavior and thereby gain public acceptance.

Mr. President, Dr. Sullivan, the Secretary of Health and Human Resources, deserves to be commended—and I sure do commend him—for recognizing the absurdity of the NIH proposal to spend \$18 million—\$7.1 million this year alone—on a national sex survey of American teenagers. Even though Secretary Sullivan has promised to cancel this project, \$7.1 million for it is already in this year's budget.

The House of Representatives, believe it or not, added an amendment to the reauthorization bill for the National Institutes of Health that requires NIH to start a study of adolescent health, including teenage sexual practices. So despite Secretary Sullivan's efforts, the teenage sex survey is still being pushed by the same old crowd for the same old reason. And I hope Secretary Sullivan stands his ground.

Now, I am not through yet, Mr. President. NIH proposes spending yet another \$3 million of the American taxpayers' money this year on a sex survey of adults. This is evidently the same so-called SHARP survey of adult sexual behavior that the Office of Management and Budget and the House Appropriations Committee defunded in 1989, and bless their hearts for doing it.

Nevertheless, on page 115 of the Senate committee report on the pending bill, the committee states that the appropriation for the National Institute of Child Health and Human Development includes "the requested amount for the proposed SHARP survey of adult sexual behavior."

The fact is, Mr. President, despite the noble efforts of the administration to stop both of these surveys—to stop this nonsense, period—funding for both sex surveys is still contained in the pending appropriations bill.

So I will conclude as I began. The pending amendment presents Senators with a clear choice. Senators can either support title XX—which counsels children to abstain from sex outside of marriage—or, on the other hand, Senators can support the NIH homosexually biased sex surveys. Senators can either support a sexually responsible family life program or they can choose to support the continued onslaught of homosexuality and general sexual decadence that I am convinced is undermining the very moral fabric of the Nation.

Mr. President, I yield the floor.
The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. HELMS. Will the Senator forbear for just one moment?

Mr. MOYNIHAN. Yes.
Mr. HELMS. I need to modify my amendment, and since the yeas and nays have not been obtained, I think that is in order. I send the modification to the desk.

The PRESIDING OFFICER. The Senator has a right to modify the amendment. The amendment is so modified.

The amendment (No. 1114) as modified, is as follows:

On page 25, line 8, strike the figure before the period and insert the following: "\$523,826,000: *Provided, however,* That funds made available under this heading to conduct the SHARP survey of adult sexual behavior and the American Teenage Survey of adolescent sexual behavior shall instead be expended, at the same outlay rate, to carry out title XX of the Public Health Service Act."

Mr. HELMS. I thank the Senator.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. MOYNIHAN. Mr. President, I am going to speak briefly on this matter, and I hope to be able to keep control of my sense of humor. I know this is a very nerve-racking matter, and I know that when people get nervous about these matters, doctors tend to get nervous about these people. But I will not say anything more on that score.

I would say that the question involved here is an appropriation in the fiscal year 1992 Labor-HHS appropriation bill for the National Institutes of Child Health and Human Development. Of the appropriated \$523 million for the Institute, a very small sum is to be used for a series of surveys of human reproductive patterns. That is how, in case people do not know this, children come about; as a consequence of reproductive behavior. That is not instantly evident to children, and they are often misled about this until later in their lives. But a time comes when ever they as young persons learn about these matters. And the race goes on in that way.

Only very recently in our history have we learned to study the human species through sample surveys so that you get a sense not just of what you know but also of the whole universe involved. It is much newer than we perhaps realize.

The technique of the survey was developed at Columbia University in the 1930's by a very distinguished professor, an emigre, one of those great Jewish scholars from Frankfurt who came to our country, Paul Lazarsfeld. He and his students went to Elmira in upstate New York—Elmira is on the southern tier where Mark Twain wrote "Huckleberry Finn," as a matter of fact—and did a study of public opinion and sampling. The mathematics of sampling that he developed and their book on Elmira was published in about 1938, I think. The next thing you know we have polls that can tell you with an accuracy of plus or minus 2 percent, who is going to be the next President of the United States. Read about them, hear about them. All of this came out of that work.

But there is another side of polling which in ways is more interesting, which is to poll a sample of people and learn about characteristics of the whole population in matters that may be more important than who are you going to vote for.

One of the places where this technique, this technology, this social science, this mathematical science has been most developed is at the University of Chicago in the National Opinion Research Center. I first came upon the center when the very distinguished American scholar Peter Rossi, now at the University of Massachusetts, was head of the NORC. One of his associates

there was Father Andrew Greeley who was, and is, a Catholic priest and a sociologist. He was interested in religious beliefs and practices, and much of Greeley's very distinguished work, particularly on American Catholics, was done at the NORC, as it is described. They are wonderful people. They do great work, and they have been doing it now, I would think, for half a century. Indeed they have taught the world.

I do not want to get into any disagreement with others, but I think they are probably the best in the country and that means the best in the world, or at least they are of that rank which has no better, no superior group.

NORC for some years has done work in family formation and patterns. They, of course, are much involved with the census and the demography of our country. And they embody that great proposition, Mr. President, a distinguished scholar in his own right, that demography is destiny. If you want to know where things are going, look at who is being born, look who died, what the population is doing—who comes forward?

Demography is destiny. NORC studies our destiny for us through demography. It helps to know some of these things.

We have had some surprising disturbances in the advent, for example, of the AIDS epidemic, which appeared in the 1980's. It is clearly an epidemic. How long it will run we do not know. Whether it will become endemic we cannot say, although epidemics break. Study of the species can tell you that, otherwise the black plague would have wiped out Europe altogether in the 14th century.

One thing that is not surprising, for example, however, is that the birth rate in the United States goes down and down and down. Every census since the 1800's has shown a decline in the birth rate. We are just about on the level of a sustainable rate of reproduction, of maintenance. You need about 2.1 births per female to maintain a population. That is not surprising. It is consistent, anyway.

However, we have had one event in the past 30 years that has knocked our sox off with respect to our population, and that is the rise of out-of-wedlock births. It is unprecedented for our population.

As the distinguished report of what is called the Rockefeller Commission—published recently by our very good friend and able colleague from West Virginia—noted, in the last 30 years the illegitimacy ratio in our country has gone from 5 percent to over 25 percent. It is, in fact, 26 percent, one child in four born out of wedlock. We have no precedent in our experience for this.

It is not just 1 in 4; this varies greatly by population group, by city. Here in the District of Columbia, 73 percent of

black births are illegitimate. In other parts of the country it is higher. Other parts lower.

It is not the same thing everywhere. If it were the same thing everywhere we would know one thing. But when we find it is different we think—what makes the difference?

Yesterday on the floor our beloved and irascible senior Senator from Alaska was describing the problem of cancer of the prostate for which he was successfully treated this summer. He was being very open about things you used to never talk about. Imagine a U.S. Senator coming to the floor and talking about cancer of the prostate? You did not mention cancer. You certainly did not mention the prostate. He talked about both, very ably and very wisely. He said watch yourselves fellows, have a doctor watch you.

He said in males who survive to age 80, we will find about 70 percent will have cancer of the prostate.

He then went on to observe that this ailment, frequently a fatal illness, is almost unknown among Asian males in Asia. But when they come to the United States they acquire an incidence not different from the rest of the population. Which of course argues that this is obviously an environmentally specific ailment. We learn things like that.

I have learned here in our country that there is a great difference in the rates of illegitimacy from the States with the highest to those States with the lowest. We have the highest rate of illegitimacy in the District of Columbia, which is 62 percent of all births. When we know that about the births, do not expect anything from the school system, or so I believe. This goes all the way down to Utah where it is at 12 percent.

It happens that the national rate is 26 percent and that is just the rate of North Carolina; one child in four in North Carolina. In my State of New York, 30 percent, 3 in 10.

As I said, Mr. President, this breaks down differently in groups. In our country today altogether, 24 percent of white births and 67 percent of black births are out of wedlock, are illegitimate. There is no other moment in our history with this incidence.

Mr. President, I will ask unanimous consent that these tables be printed in the RECORD so we might know what we are dealing with.

I say once again, we do not know what hit us; what happened. I will publish in this week's issue of America magazine the information that this subject of welfare we have been talking about is obviously simply a dependent variable—can I use that word—on the issue of illegitimacy.

We now have the numbers. I would like to have them included in the RECORD at this point: that of the children born in the period 1967 to 1969, 16

percent of the white and 72 percent of those black children were on welfare before they reached age 18, almost a quarter of our population, which fits that almost a quarter were illegitimate. The numbers have been rising.

We project children born in 1980, the ratio will be 22 percent for white and 83 percent for black, which again corresponds. It is a little bit higher than the illegitimacy ratios, which figures. But illegitimacy is a sentence in this regard. We do not know what is going on. Something new has happened.

When we see something new like this going on, it is very important to ask is it going on anywhere else?

I have to say it is going on in Canada; The same quadrupling, quintupling of illegitimacy in one generation. It is going on in Great Britain, places we have a certain connection with.

But again, we find that it varies. I have a list of tables, Mr. President, entitled "Percent of Births to Unmarried Women in Selected Countries, 1985," and the highest rate was Panama with 72 percent. The United States had 22 then. We are at 26 percent now. This goes up and up. We have Austria higher than us, immediately higher; France immediately lower. Guess who is at the bottom, Mr. President? Japan with 1 percent.

Maybe the diet, and maybe the climate, and maybe the climate of opinion of morals of acceptance, and so forth, is the cause, but I say that something has happened and it is of great importance to us that we find out; that we begin to ask what is happening.

My good friend from North Carolina, where 26 percent of all births are out-of-wedlock, which makes it the typical American State seems to think that the surveys we are talking about are mostly concerned with bizarre practices. I do not want to disappoint any potential readers, but I have to say that all those bizarre practices were surveyed 40 years ago. That has been done, Mr. President.

What has not been done is the study of how it has come about that so many of our children are born to single parents and in consequence face lives in which all the odds are against them. Individually, they are always winners, but as a class, the odds are against them.

They will be on welfare. Being on welfare, Mr. President, is not being poor. Being on welfare is to be a pauper, a ward of the State, bereft of income, property, even rights. That is what a quarter of our children are being born into; three-quarters of some of our children.

Would it be really out of the question that we might ask how come? What happened? How come it is so much more? It is five times greater in one generation.

We are talking about the National Institute of Child Health and Human

Development which has a appropriation of \$523,826,000.

Mr. President, I want to say something about this child development. I have been 30 years in this city, from before the creation of this institute, asking what is happening to illegitimacy. Why is it going up and up and up? And I have never had 5 cents' worth of information out of the National Institute of Child Health and Human Development. They have never asked the question to my knowledge, or never certainly have they come up with the answers they would share with anybody. Millions of dollars have gone off somewhere, but not to this central question.

Ask them down to meetings and they come to meetings. But ask about this subject and they do not know anything about it. It is a taboo subject, Mr. President. Taboo. If you find anything out about this subject you might get in trouble, so keep your professional life secure and let the children go to hell. That is what we are doing.

Never ask any embarrassing questions and let those little children suffer and die out there. They are dying every day in the streets of the cities, but do not find out about them because somebody might say, why did you ask that question? Because the children are dying.

We are not alone. We always learn something. I know the distinguished Presiding Officer shares my view that when you have a problem in our country, it is always interesting to ask how are they doing in Canada on this? We learn something. Sometimes we find they are doing better, often worse.

Canada has the same problem. What is going on? A lot of things we know. The age of menarche has dropped below 12 years, the median age. In New York City not long ago a 10-year-old gave birth. That is a biological change that obviously is different from about 150 years ago. The oldest series we have comes from, I think, Norway where the median age of menarche was 17 years, 5 months. So we learn things like that.

Mr. President, I want it recorded, that I have had the privilege of talking to Professor Gagnon and Ed Laumann, of the NORC project. Both able, careful, respected workers in their field. Dr. Gagnon graduated from the University of Chicago, and is now a professor in the department of sociology at the State University of New York at Stony Brook. We, for a trivial sum, might now begin to get, just begin to get a little hold, a little purchase, as we say in the Navy, on this subject.

Let one point, Mr. President, be clear. We have had a great many studies of the reproductive patterns of females. Naturally enough. And we know a lot about that. But what we do not have and what we will get in this work from the National Opinion Research Center is a study of the reproductive

patterns of males. It being pretty well established that human reproduction is a male-female phenomenon. It is that missing male that haunts our cities and haunts our biological data. We do not know how those males behave, and we need to. This is an effort that will find out.

We are going to hold hearings on this subject in the Committee on Finance, the Subcommittee on Social Security and Family Policy. We will ask the National Institute to come and tell us what they do not know. And they will come and tell us not much but at least they are willing to have others find out for them.

I hope, Mr. President, as we talk about education, as we talk about child health, as we talk about welfare, we might be willing to learn where so many of the problems begin, which is the status of the child at birth.

I cannot believe we are going to adopt this amendment. It is embarrassing. It would be best if we said as little about it and went on to our other matters. Our distinguished managers of the bill, no doubt, will share our view on this matter.

I see my able friend from the State of Washington has risen. I do not want to keep him.

So, Mr. President, I yield the floor, asking that the article in America and the associated tables be printed, and saying, once again, that the survey in mind will study male reproductive behavior as well as female and we will know more about ourselves and may possibly be able to do a little better for our children. Thank you, Mr. President.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From America, Sept. 14, 1991]

SOCIAL JUSTICE IN THE NEXT CENTURY

(By Daniel Patrick Moynihan)*

Centesimus annus, Pope, John Paul II's encyclical on social justice was proclaimed May 1, 1991, the feast of St. Joseph the Worker and the 100th anniversary of *Rerum Novarum*. This encyclical of Pope Leo XIII first set forth the doctrine of the Roman Catholic Church on the subject of the rights of workers.

Looking back at Leo's work it becomes clear how great a distance Western, and not just Western, society has moved in the period. At the close of the 19th century there was a seemingly unreconcilable conflict in Europe and the United States between the doctrines of laissez-faire capitalism on the one hand, and state socialism or some mode of collectivism on the other. Economics was the only issue. (War, for example, had evidently become obsolescent.)

*Daniel Patrick Moynihan is the Democratic Senator from New York. This article is adopted from a paper presented at an April 29 conference sponsored by the Graduate School of Social Service of Fordham University to mark the University's sesquicentennial year and the 500th anniversary of the birth of St. Ignatius Loyola. The author acknowledges with gratitude the able assistance of Paul Offner.

In this atmosphere the church set forth what can be seen as a sensible middle ground where most industrial democracies would eventually settle. By middle ground I do not mean splitting the difference. Rather, Leo XIII, asserting the rights of private property, even so set forth a radical doctrine of workers' rights that extended to a "just wage," and most especially, the "natural human right" to form private associations, including trade unions. Many proposed measures, the limitation of working hours, special treatment for children and women, Sunday rest, and such, seem routine at this remove. But they were hardly such at the time. Still, the important event was the extension of the concept of rights to the marketplace. Labor, it was decreed, was not a commodity.

As John Paul II puts it, *Rerum Novarum* pointed the way to reforms under which "society and the State . . . both assume responsibility, especially for protecting the worker from the nightmare of unemployment." Responsibility, that is, for a general level of well-being that we have learned to call the welfare state. It is notable, then, that the present Pope goes on to a sharp exchange with this "so-called Welfare State."

"In recent years the range of such intervention has vastly expanded, to the point of creating a new type of State, the so-called 'Welfare State.' This has happened in some countries in order to respond better to many needs and demands, by remedying forms of poverty and deprivation unworthy of the human person. However, excesses and abuses, especially in recent years, have provoked very hard criticisms of the Welfare State, dubbed the 'Social Assistance State.' Malfunctions and defects in the Social Assistance State are the result of an inadequate understanding of the tasks proper to the State. Here again the principle of subsidiarity must be respected: a community of a higher order should not interfere in the internal life of a community of a lower order, depriving the latter of its functions, but rather should support it in case of need and help to coordinate its activity with the activities of the rest of society, always with a view to the common good."

"By intervening directly and depriving society of its responsibility, the Social Assistance State leads to a loss of human energies and an inordinate increase of public agencies, which are dominated more by bureaucratic ways of thinking than by concern for serving their clients, and which are accompanied by an enormous increase in spending" (emphasis in original).

Michael Novak, who holds the George Frederick Jewett Chair in Religion and Public Policy at the American Enterprise Institute, has responded with great enthusiasm. In an article in *The Washington Post* (5/7/91), "Wisdom from the Pope," he writes that John Paul . . . offers the papacy's strongest language ever about limitations on state power. It includes a trenchant but fair criticism of the human losses involved in the 'welfare state' and even more in the 'social assistance state.' No neo-liberal or neo-conservative ever made the case more profoundly and with so resounding a ring of truth. The pope emphasizes the human side—or better, the anti-human side—of bureaucratic 'social assistance.' He all but uses the phrase 'the little platoons' of society."

How's that? The Pope a conservative in the Burkean mode? This suggestion did not escape the notice of Harvey Cox of the Harvard Divinity School. Indeed, it provoked him to something like anger, which is not at all like him. Writing in *New York Newsday* shortly

after, Professor Cox is dismissive equally of the "triumphalist" commentary by "the American Enterprise Institute's resident theologian" and of the encyclical itself. "Unfortunately, his years in Rome have not sharpened Karol Wojtyla's pen. He succeeds in being pretentious, provincial and pedestrian at the same time. He credits his predecessor Leo XIII with exerting 'far-reaching influence' on the birth of Social Security, pensions and health insurance. But don't the labor unions and citizens' movements that, like Al Smith, could probably not even pronounce the word 'encyclical' properly get a little credit too? Did Franklin Delano Roosevelt read *Rerum Novarum*? . . . Do we need someone who is carried around on a palanquin by Swiss Guards to tell us this? The conservative theologians who complain that liberals too often borrow their ideas from the secular realm must be wincing in embarrassment about the derivative quality of this hominid document.

"But let us be more generous. What is exhausted is not the Pope but the social encyclical genre itself, with its improbable claims to universal validity and its consequent temptation to resort to bland truisms.

"My hope is that *Centesimus Annus* marks not only the 100th anniversary of papal social teaching but the end of the chapter in Christian history."

Professor Cox has a point about the medium. Encyclicals have the quality of an imperial decree. Americans do not instantly take to such modes of address, although he should be careful about patronizing Al Smith. There is not the least evidence that the Governor had difficulty pronouncing the word. We have it on the authority of a not inconsiderable theologian, Reinhold Niebuhr, that when this subject arose during the 1928 Presidential campaign, Smith simply asked: "Will someone tell me what the hell a Papal Encyclical is?"

Format apart, there continues to be a real problem of English translation. Thus the new encyclical observes: "*Rerum Novarum* criticizes two social and economic systems: socialism and liberalism." Three decades ago, in *Beyond the Melting Pot*, referring to *Rerum Novarum* and the message of Catholic social teaching, Nathan Glazer and I wrote: "Catholic spokesmen have used the term 'liberal' to refer to laissez-faire economics of the Manchester School, and have generously denounced same." The result, we continued, had been total confusion among the Catholic laity who had to assume that in denouncing "liberalism" Rome was anathematizing the New Deal. And here again we have the same usage. Misusage. No wonder Harvey Cox got mad. The term "liberalism" means something altogether different in American English today, and has done so for generations. A correction is in order. If not a correction, then surely an explanation.

II

That being said, *Centesimus Annus* could turn to be as seminal a statement as its predecessor. *Rerum Novarum* concentrated on issues of the workplace, as did social policy in the United States in the years that followed. Labor, declared the Clayton Antitrust Act of 1914, is not a "commodity." Workers, declared the Fair Labor Standards Act of 1938, must be paid a minimum wage. Minorities, declared the Civil Rights Act of 1964, could not be discriminated against in employment.

Again, these may seem routine matters today. They were anything but when the issues first arose. The dislocations associated with industrialization were absolutely baffling

when they first appeared. What was unemployment? Why did it happen? Who was responsible? An era of fierce doctrinal argument preceded the era in which a consensus of sorts was reached. Note particularly that along the way we began to learn to measure the things we were arguing about. Two events were of particular note. First came the establishment in 1920 of the National Bureau of Economic Research that began the systematic, quantitative analysis of the business cycle. Next, the Employment Act of 1946 established the Council of Economic Advisors and the annual Economic Report of the President to the Congress with the quantitative analysis of employment. There is no sense in which unemployment is a problem of the past. But we know how to measure it, and within limits we know what to do about it. It is to the problem of our age.

FIGURE 1. Welfare dependency rates of children by race proportion of children receiving A.F.D.C. prior to age 18 1967-69 (actual)

White	15.7
Black	72.3

But now a new issue has arisen. The issue of dependency, the growing number of children born to single parents and dependent during childhood on, well, "the Social Assistance State." In 1965 in America, I published the first data that suggested that we might be moving into such an era, one in which destitution in childhood, relatively independent of economic forces, would be our principal social problem ("A Family Policy for the Nation," America, 9/18/65). This was, I believe, a new proposition. I think it important that it arose in the context of research on the "earlier" problems of unemployment, wages and hours, and suchlike matters. In brief, the policy planning staff of the U.S. Department of Labor came upon indications that the connection between child welfare and the workplace was breaking up. Earlier, when unemployment had dropped, new welfare cases dropped. No longer. Seemingly, dependence was an independent variable, possible out of control.

This seemed especially so among minorities, a proposition I took to President Lyndon B. Johnson, who said as much in an address at Howard University in 1965. The President's analysis, however, was rejected. People said it wasn't so, and we could not prove otherwise. In truth, nothing much had yet happened. We had these indicators, but no more. And so we had to wait for the answer, or at least an approximate answer. We now have it. We were right.

Specifically, we now know that of children born in the years 1967-69, some 22.1 percent were dependent on welfare (Aid to Families With Dependent Children) [A.F.D.C.] before reaching age 18. This breaks down to 15.7 percent for white children; 72.3 percent for black children. In his 1965 address at Howard, President Johnson had stated: "Probably a majority of all Negro children receive federally-aided public assistance sometime during their childhood." This was from my first draft of his address. So much for the charge that we were being alarmist. (See Figure 1.)

This is as far as our longitudinal data take us. We know about the life experience of that cohort in its first 18 years, those years having now passed. What about the cohorts that followed? We don't finally know, but we can make an educated guess. The data tell us that children under the age of 8 were, on average, 36.8 percent more likely to have been on A.F.D.C. in the 1970's than their predecessors in the 1960's. If we assume that this same increase will show up for the whole of

the 18 years (0-17), then we can project rates for children born as late as 1980. This gives us a white rate of 22.2 percent, and a black rate of 82.9 percent. (The latter would seem too high, and is of course only a projection. Still, we face the daunting possibility that five in six minority children are destitute and on welfare by age 18. See Figure 2.)

This surely raises the issue of social justice; if, that is, it can be shown that such destitution in childhood is, in the main, a debilitating event. Not for each individual, but generally speaking for a class of individuals. Lawrence M. Mead of New York University believes this to be so. In *The New Dependence Politics* he writes: "The inequalities that stem from the workplace are now trivial in comparison to those stemming from family structure. What matters for success is not whether your father was rich or poor but whether you had a father at all."

III

Now this would appear to be a new social condition. Nearly one third—30.2 percent—of all children are paupers before attaining their majority. Not a pretty word; but not a pretty condition. That is in fact what it means to be on "welfare." No income of your own and virtually no possessions. This rise in dependency has been paralleled, preceded may be the better term, with a rise in out-of-wedlock births. For 1988 the overall ratio was 25.7 percent, which breaks down into 17.8 percent for white births and 63.5 percent for nonwhite. There are now health districts in New York City where more than 80 percent of live births are out of wedlock.

There has also been a rise in asocial behavior. By the 1980's it was common to hear of "children having children." In the 1990's we begin to hear of children murdering children, as firearms have moved into urban neighborhoods and down the age scale. This, too, was forecast. In the 1965 article in America I wrote: "From the wild Irish slums of the 19th-century Eastern seaboard, to the riot-torn suburbs of Los Angeles, there is one unmistakable lesson in American history: A community that allows a large number of young men to grow up in broken families, dominated by women, never acquiring any stable relationship to male authority, never acquiring any rational expectations about the future—that community asks for an gets chaos. Crime, violence, unrest, disorder—most particularly the furious, unrestrained lashing out at the whole social structure—that is not only to be expected; it is very near to inevitable. And it is richly deserved."

This year, in a superb preface to *Beyond Rhetoric: A New American Agenda for Children and Families*, the Final Report of the National Commission on Children, its distinguished chairman Senator John D. Rockefeller IV wrote: "Too many of today's children and adolescents will reach adulthood unhealthy, illiterate, unemployable, lacking moral direction and a vision of a secure future. This is a personal tragedy for the young people involved and a staggering loss for the nation as a whole. We must begin today to place children and their families at the top of the national agenda. . . . Many young people believe they have little to lose by dropping out of school, having a baby as an unmarried teenager, using and selling dangerous drugs, and committing crimes. When they lack a sense of hope and the opportunity to get a good job, support a family and become a part of mainstream adult society, teenagers are frequently not motivated to avoid dangerous or self-destructive behaviors. These youth can see few compelling rea-

sons to avoid or delay activities that provide immediate gratification. Unfortunately, their actions often make their expectations a self-fulfilling prophecy."

Note the shift in terms. We are not talking about unemployment here. We are talking of children who come of age "unemployable." We are not talking of the blameless victims of impersonal market forces. We are talking of adolescents "lacking moral direction." We are not talking of the need for social security programs; we are talking of the youth who have no "vision of a secure future."

It would be fair to say that our analysis of 1965 has finally been accepted. But it would be equally fair to ask whether it is as yet agreed that we are dealing with something new. The National Commission Report is long—519 pages—on prescriptions for expanded government programs, but short on analysis. Warily, the report does tell us that matters are worsening. "In 1960 only 5 percent of all births in the United States were to unmarried mothers; in 1988 more than 25 percent were." But it does not tell us whether in the view of the Commission a fivefold increase represents a qualitative change. Rather, it is as if we are being told that unemployment in the coal fields, in the textile towns, is worse than ever. But, the same subject as of old. The question whether a new social condition has appeared in simply not addressed.

FIGURE 2. Welfare dependency rates of children by race proportion of children receiving A.F.D.C. prior to age 18 1980 projected

White	22.2
Black	82.9

This is in no wise intended to fault the Commission's work. It is simply to assert that this question has to be addressed. Has a new social condition appeared? Is something new going on? Are we missing something large? As an example, in February 1991, some months before the National Commission report appeared, the Senate Democratic Caucus had approved a legislative program entitled, "Strengthening America: The Democratic Agenda." A section on children included this passage: "There are some 64 million children in the United States. At current dependency rates, 16 million or one-quarter, will be on welfare before they have reached the age of 18. . . . Children now make up the largest proportion of poor persons in the United States. There is no equivalent in our history to such a number or such a proportion."

"All this is new. This circumstance did not exist during the era of the New Deal, a half century ago. It did not exist during the era of the Great Society, a quarter century ago. It marks the emergence of a new issue in social policy. The issue of dependency."

However, before the document was sent to the printer, the "error" was spotted by the Committee staff. The text that read: "This circumstance did not exist during the era of the New Deal, a half century ago. It did not exist during the era of the Great Society, a quarter century ago," was changed to read: "This circumstance was not as recognized during the era of the New Deal, a half century ago, nor during the era of the Great Society, a quarter century ago" (emphasis added).

As I had written that passage, I asked about the change. It became transparently clear that those responsible had simply thought they were correcting a mistake. This is becoming the liberal orthodoxy: that there is nothing new. It is not, come to think, so very different from the views of those in the 19th century who, on observing

an industrial society all around them, could not conceive that society had changed to the extent that institutions needed to change as well. Thorstein Veblen called it "culture lag."

If Veblen has a successor today, in stature as in style, it is James S. Coleman, also at the University of Chicago. Mr. Coleman traces our present situation back to the emergence of the corporation in medieval Europe and its gradual displacement of kinship structures. "The central fact about the modern corporation . . . is that it is not an outgrowth of the family, but constitutes an alternative institutional structure, independent of the family and little by little drawing power and strength away from it." He notes that only about 20 percent of 19th century American households were without children under 18; this proportion is now something like 65 percent. Thus, raising children is now carried out with the incomes of a minority of adults. Child welfare becomes a minority interest. Before the transformation of society represented by the rise of the corporation—in this respect think City of Detroit no less than General Motors—"the family was the central institution of society on which all others were built, and children were part of that center, both an immediate economic asset and an investment for the future. Now that the transformation is largely complete, the family is a peripheral institution and children an economic burden on that periphery. An economist might describe the change as one in which children have become a public good—and, as with all public goods, this one presents a problem of who will pay the cost of supplying it. Children are not, I should note, an economic burden, a public good, for all segments of society. By a perverse twist of incentives, children are an economic asset at the lowest economic level, through the welfare support they make possible."

Let us return one last time to those hapless young staffers on the Democratic Policy Committee. Had they been checking a text that proposed that the problem of AIDS "did not exist during the New Deal," they would not for a moment have been disposed to change this to "not as recognized." AIDS appears in the 1980's. (It was first recorded by the Centers for Disease Control in 1981.) Had the text read that the problem of "crack" cocaine "did not exist during the era of the Great Society," there would have been no disposition to correct that either. (The "crack" epidemic first broke out in the Bahamas in 1983.) What, then, is the problem with recognizing that our present plague of illegitimacy, welfare dependency, child disorders and youthful violence is also discontinuous? Part of the difficulty is that it isn't exactly. In his introduction to *Recent Social Trends* (1933), an early and still unequalled Federal social survey, C. Wesley Mitchell wrote: "Society has three problems which have existed throughout all history—poverty, disease and crime." Fair enough. But what I argued in 1965 was that we were about to ascend a giant S curve, to the point that what had been familiar and quiescent would soon be something altogether new. Like a cobra, springing up, prepared to strike.

It seemed to me then that there would be a more or less coherent response. The AMERICA article began: "The United States is very possibly on the verge of adopting a national policy directed to the quality and stability of American family life." In this I was quite wrong. We did nothing of the sort. The evidence was rejected as inconclusive or worse.

It is still rejected in the sense that orthodox opinion rejects the notion that there is anything qualitatively different about the present, insisting instead that the Federal Government simply do more of what we have been doing.

Enter John Paul II asserting that what we have been doing is precisely the problem. We have been creating the "Social Assistance State" which has led to "a loss of human energies and an inordinate increase of public agencies." Not to mention "an enormous increase in spending." Well, now.

What we have here is a considerable role reversal. A century ago, addressing the social question of that time—it was called The Social Question—the church called for more intervention by the state. Now it appears to be saying that state intervention has to some extent created or at least worsened the social problems of the present age. This is high irony. For most of those 100 years, certainly the first 50 or so, liberal opinion in the United States simply assumed the hostility of Catholic social teaching to, well, "liberalism." (We have to assume that President Roosevelt did not in fact read *Rerum Novarum*.) But all of a sudden it may be that the Catholic teaching in this area is in fact opposed to liberal opinion.

The intriguing part of all this, of course, is that the papal pronouncement has American fingerprints all over it. It would be well for those involved to come forward, and it would help if Rome let it be understood that to do so is not only acceptable but necessary. How so? Because the argument must proceed from evidence. There are natural law elements in the encyclical. We are told to distinguish between the society and the state; fair enough. We are reminded again of subsidiarity, which again has doctrinal sources. (Not least the ecclesial sanction of Edmund Burke!) But this is a matter for social science as well, and we have a right to hear the complete argument.

Further, we need to learn from these American Catholics whether they think something new is going on. This may just be a fixation of mine, but I cannot puzzle my way out of it. If there is a new social circumstance, then, for example, there is no "contradiction" at all between the two encyclicals. The industrial economy that *Rerum Novarum* describes continues, but the enormous dislocations of the past have been quite overcome. Is it possible that some general theory will come along that will tease out the sources of welfare dependency and get this problem back down to an acceptable level as Keynes did with unemployment? A reassuring thought, actually.

So much for the long run. For purposes of the short run it may be useful to note that in 1988 Congress enacted the Family Support Act, the first change in the welfare system since it was established as a Federal program in the midst of the Great Depression. In recent Senate testimony Judith Gueron, president of the Manpower Demonstration Research Corporation, described the legislation: "The vision of welfare reform that we see reflected in the F.S.A. [Family Support Act] is of a 'social contract' between poor parents and government, in which each party has responsibilities. Parents—both mothers and fathers—have the responsibility to contribute to the support of their children to the best of their abilities and to engage in activities designed to improve their self-sufficiency. The responsibilities of government are to provide the means for poor parents to become self-sufficient—such as employment services and supports—and to provide income when their best efforts fall short."

It remains to be seen whether the Family Support Act will be made to work. It is, in any event, only one of many measures that will be called for if, as is at the very least likely, the issue of dependency becomes the central issue of social justice in the next century. Come to think, millennium!

STATISTICAL NOTE

Regarding the charts, in 1968, the Office of Economic Opportunity provided funds for the Panel Study of Income Dynamics (P.S.I.D.) at the University of Michigan. Under the direction of Dr. Greg Duncan, this longitudinal study that began with 5,000 families and has since been expanded, makes possible a statistically sound measurement of welfare dependency over time. At the joint request of the Subcommittee on Social Security and Family Policy of the Senate Committee on Finance and the Administration for Children and Families of the Department of Health and Human Services, the P.S.I.D. researchers developed the figures reported on pages 134 and 135 and reflected in Charts 1 and 2. The data are contained in a memorandum from Greg Duncan, Terry Adams and Deborah Laren, Institute for Social Research, University of Michigan, to Bill Prosser, Department of Health and Human Services, Aug. 24, 1990. The information had been requested by Senator Moynihan in a letter of Sept. 18, 1990, to Jo Anne Barnhart, assistant secretary for Children and Families.

(47) Wyoming	17.2
(48) North Dakota	15.6
(49) New Hampshire	14.4
(50) Idaho	14.1
(51) Utah	11.7

Source: Monthly Vital Statistics Report, National Center for Health Statistics, U.S. Department of Health and Human Services.

PERCENT OF BIRTHS TO UNMARRIED WOMEN BY RACE, 1988: CITY RANKINGS

(National average, cities of 100,000+: white—24.9 percent; black—68.1 percent) (National average, 1987: white—23.6 percent; black—66.7 percent)

	1988 (percent)	1987 (percent)
WHITE¹—HIGHEST		
(1) Hartford, CT	58.5	60.7
(2) Bronx, NY	50.0	51.9
(3) Newark, NJ	42.0	42.0
(4) San Bernardino, CA	39.6	37.0
(5) New Haven, CT	39.3	31.4
(6) Los Angeles, CA	38.4	36.6
(7) Pueblo, CO	38.1	32.6
(8) Bridgeport, CT	38.0	16.1
(9) Springfield, MA	37.7	35.4
(10) Paterson, NJ	36.5	36.6
(11) Gary, IN	36.4	37.8
(12) Fresno, CA	35.9	33.7
(13) Jersey City, NJ	35.5	32.8
(14) Providence, RI	35.2	33.1
(15) Baltimore, MD	34.7	33.1
(16) Manhattan, NY	33.8	34.7
(17) Cleveland, OH	33.8	31.1
(18) Syracuse, NY	33.2	35.1
(19) Santa Ana, CA	32.9	30.4
(20) Detroit, MI	32.6	29.1

BLACK—HIGHEST		
(1) Peoria, IL	83.5	80.5
(2) Baltimore, MD	82.6	80.5
(3) St. Louis, MO	80.7	79.2
(4) Rockford, IL	80.3	77.6
(5) Syracuse, NY	79.3	78.6
(6) Milwaukee, WI	79.3	78.1
(7) Chicago, IL	79.0	77.3
(8) Springfield, IL	78.9	74.2
(9) Pittsburgh, PA	78.8	77.4
(10) Philadelphia, PA	78.8	78.2
(11) Louisville, KY	78.8	77.8
(12) Cleveland, OH	77.7	77.1
(13) Toledo, OH	77.0	75.6
(14) Dayton, OH	77.0	75.6
(15) Erie, PA	76.9	75.5
(16) Davenport, IA	76.7	71.7
(17) Paterson, NJ	76.7	72.7
(18) South Bend, IN	76.5	76.7
(19) Omaha, NE	76.4	73.9
(20) Cincinnati, OH	76.4	74.2

¹ The category "white" includes most Hispanics.

Source: National Center for Health Statistics, unpublished data, obtained Aug. 16, 1990.

Births to unmarried women as a percentage of all births, 1988—By race, State rankings

(Nationwide: White—17.7 percent; black—63.5 percent)

White—Highest ratios:¹		Percent
(1) New Mexico	27.0	
(2) California	26.9	
(3) Arizona	24.3	
(4) Oregon	22.4	
(5) W. Virginia	21.0	
(6) New York	20.7	
(7) Maine	20.3	
(8) Washington	20.1	
(9) Rhode Island	19.4	
(10) Vermont	18.5	
White—Lowest ratios:¹		
(1) Alabama	10.6	
(2) Utah	10.8	
(3) Mississippi	11.4	
(4) N. Dakota	11.6	
(5) N. Carolina	11.7	
(6) Georgia	11.9	
(7) S. Carolina	12.4	
(8) Michigan	12.4	
(9) Louisiana	12.9	
(10) Hawaii	12.9	
Black—Highest ratios:		
(1) Wisconsin	76.5	
(2) Illinois	75.3	
(3) Pennsylvania	75.2	
(4) D.C.	73.2	

(5) Missouri	71.5
(6) Ohio	71.5
(8) Indiana	69.1
(9) Nebraska	68.3
(10) Tennessee	68.3

Black—Lowest ratios:

(1) Hawaii	15.3
(2) N. Dakota	16.8
(3) Maine	20.0
(4) S. Dakota	20.5
(5) New Hampshire	27.5
(6) Alaska	28.5
(7) Wyoming	37.0
(8) Montana	37.2
(9) Vermont	38.2
(10) Utah	47.2

¹ The category "Whites" includes most Hispanics.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. ADAMS. Mr. President, the Senator from North Carolina has raised the issue about whether it is appropriate for the Federal Government to fund research on human sexual behavior. It seems ridiculous to me that we are arguing about this today in our country when we face unprecedented rates of teenage pregnancy, sexually transmitted diseases, and AIDS. We can only combat these public plagues on our society, and health threats, with knowledge about what people do, why they engage in risky behavior, and what can potentially be done to prevent it.

Mr. President, the Senator from North Carolina read aloud several questions from the teenage survey. I also understand that these questions were removed from the survey 2 years ago.

I just wonder what the purpose was. Did the Senator wish to shock people into voting with him, or was he hoping that this, maybe, was just some disinformation, because these have been removed? When the teenage pregnancy rate is at an all-time high, when the rates of STD's are climbing, we need solid, scientific evidence of what to do about these trends.

Opponents of this kind of scientific research argue that to study sexual behavior is to encourage it. By now, we all know this is just plain bunk. Pretending that controversial behavior does not exist, or lecturing people not to engage in risky behavior, does not work. It is just plain not so. For years, we have been funding programs that encourage abstinence as the only approach to addressing teenage pregnancy. We have learned from evaluations of these abstinence-only programs that they do not work. There is no scientific evidence that abstinence-only programs reduce the rate of teenage pregnancy.

Yes, we hope people will abstain and will be better people in their total lives for having maybe done so, but it is not the way society is. It is not reality. What we have to deal with, in this body, is the reality of how we deal with a growing public health problem that is destroying our future. What is our future? Our children.

So why waste any more money on programs that do not work. Let us in-

Births to unmarried women as a percentage of all births, 1988—All races, State rankings

(Nationwide: 25.7 percent)

	Percent
(1) D.C.	61.7
(2) Mississippi	37.6
(3) Louisiana	33.5
(4) Maryland	32.6
(5) New Mexico	32.3
(6) South Carolina	30.3
(7) New York	30.1
(8) Georgia	29.6
(9) Illinois	29.5
(10) Florida	28.7
(11) Arizona	28.7
(12) California	28.6
(13) Alabama	27.9
(14) Tennessee	27.6
(15) Delaware	27.1
(16) Pennsylvania	26.5
(17) Arkansas	26.5
(18) Ohio	26.4
(19) North Carolina	26.3
(20) Missouri	25.0
(21) New Jersey	24.3
(22) Connecticut	23.8
(23) Virginia	23.8
(24) Oregon	23.6
(25) Alaska	23.4
(26) Rhode Island	22.9
(27) Indiana	22.7
(28) West Virginia	22.7
(29) Oklahoma	22.4
(30) Washington	22.3
(31) Massachusetts	22.2
(32) Hawaii	22.2
(33) Kentucky	22.0
(34) Wisconsin	21.9
(35) Michigan	21.6
(36) South Dakota	20.9
(37) Montana	20.8
(38) Maine	20.3
(39) Texas	19.7
(40) Colorado	19.6
(41) Nevada	19.1
(42) Vermont	18.6
(43) Minnesota	18.3
(44) Nebraska	18.1
(45) Kansas	18.1
(46) Iowa	17.7

vest money in basic research. That is what we are talking about, basic research that will get to the root of why risky behavior continues. What we need is solid, scientific behavioral, and social research to complement the already advanced biomedical research of the NIH.

If my colleagues choose to shut their eyes to the real health problems of America, that this kind of research addresses, and vote in support of the amendment of the Senator from North Carolina, then the future of our Nation is very bleak. Disease will continue. Teenagers will be irreparably injured and we will not know how to confront the problem.

This is the last time we should debate this issue. If we care about our Nation, then we must ensure continued Federal funding for important scientific research on public health implications of sexual behavior. We need this kind of information now because the health and lives of our young people depend upon it.

I strongly urge my colleagues to oppose the amendment of Senator HELMS which would transfer funds to the Adolescent Family Life Program.

I finish by quoting from a letter from a public health official in my State:

If the Helms amendment were passed, we would have to continue "flying blind", basing sexually transmitted diseases and AIDS interventions on inadequate data.

Mr. President, I ask unanimous consent that an article in *USA Today* dated July 26, 1991, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From *USA Today*, July 26, 1991]

REJECT PRUDERY; TEEN SEX SURVEY NEEDED

A handful of politically potent prigs are treating a major public health problem like a dirty joke.

Secretary of Health and Human Services Louis Sullivan gave in to ideologies who objected to questions about sexual practices in a five-year survey of adolescent sexual behavior and killed funding for this worthwhile effort.

He may have killed more than a study. Ignorance about the risks our young people are taking can cost lives.

The goal of this study was to discover not just what teens are doing but why. Why are they putting themselves in danger of AIDS, sexually transmitted diseases and unwanted pregnancy at younger ages and in greater numbers? What influences do family values have on their decisions? What part do school, peers and the community play?

If this misplaced prudery prevails, we'll never know. Many, like the writer across the page, think that's just fine. They're content with the current state of knowledge and don't want to spend government money to learn more.

This is a dangerous advocacy of ignorance. Many questions that raised objections had been dropped from an early draft. Three-quarters of the questions were not about sexual practices. Each of the 24,000 teens answering the survey would do so with parental

consent. Parents would answer separate questionnaires.

These days, a teen who is careless with sex risks far worse consequences than parental disapproval.

AIDS cases among teen-agers in the United States have increased about 40% in two years, which means that there are now thousands infected with the deadly virus. Other data tells us that awful number is bound to grow:

Half of girls have had sex by age 17; half of boys by 16.

Only one-third of boys always use condoms.

Nearly 80% of boys and 50% of girls age 18-19 switch partners within 12 months.

That's a recipe for disaster for our young people.

AIDS is just one of the diseases that can wreck their lives; they're also in danger of infections that can cause sterility and pregnancy that can put them on welfare. Fifty-nine percent of women who were receiving welfare in 1988 were age 18 or younger when they first gave birth.

If these grim facts are going to change, we have to learn more about teen behavior. What encourages teens to take such risks? What would persuade them to avoid those risks?

Secretary Sullivan should heed the House vote late Thursday affirming such surveys. What better use for public money than buying a tool to save young lives?

What we choose not to know can ruin their lives—or kill them.

Mr. ADAMS. Mr. President, it is my understanding that there are no further requests for debate and there has been an agreement on the yeas and nays.

So I would move at this time, Mr. President, to table the amendment provided that the yeas and nays are ordered.

Mr. HARKIN. Will the Senator withhold at this moment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I wonder if I might inquire of the majority leader if there is a possibility of limiting amendments on this bill. I do not mean limiting anybody, but saying there are so many amendments left. Otherwise, I know my colleagues, when it gets to be 6, 7 o'clock tonight, are going to wonder why they are still here.

One way to prevent that is to go ahead and get the amendments and get them debated. I thank the majority leader for trying to protect a Member on this side who is absent until 6 o'clock. Then we can start voting.

I want to help the majority leader, if he has any ideas on how I can do that.

Mr. MITCHELL. Mr. President, I discussed earlier this morning, and more recently, with the distinguished Repub-

lican leader my desire to proceed to complete action on the pending bill. I will, of course, as always, endeavor to accommodate those Senators who are, by virtue of emergency, unable to be here at certain times.

We have now been on the bill for 3½ hours today, and we have not been able to get to a vote for that reason. But it seems to me that the fair and yet responsible way to proceed would be to prepare a list of those amendments that do remain, identify them, limit consideration to those amendments, obtain time agreements for their consideration, and then have the votes later today at a time when all Senators can be present.

The alternative to that is that we will simply be here again late tonight, doing that which we could have done throughout the day. Of course, Senators will be inquiring why it is that, once again, we are debating at 9, 10, 11 o'clock in the evening after a day without any votes having occurred.

So I inquire of the Republican leader—I am advised that the Democratic staff has prepared a list of all of the amendments to be offered on the Democratic side, and that they are three in number, and that we are prepared to enter into an agreement. I am advised that there are three on the Republican side. And if we could identify them in the next few moments and reach agreement on a reasonable time for debate on those, and then stack the votes at a time when all Senators can be present, we will achieve both effective utilization of the Senate's time and accommodation of the Senators who, by virtue of an emergency, have not been able to be present.

Mr. DOLE. I will be happy to try to get a list on this side. Hopefully, they will not all require rollcalls. Maybe we can get short time agreements so that we might complete at an early hour this evening.

Mr. MITCHELL. Mr. President, might I ask then that, it now being 2:05, since I think both sides have gone through this process, if we could ask the staffs in the next 10 minutes to prepare such a list, and I will come out at that time—and I hope the Republican leader will be present—and propound a request to get an agreement on that basis so that we can proceed.

There are only two alternatives to it. We can proceed one at a time, move to table the pending amendments, and vote on them now, or end up doing that at some late hour this evening, to the inconvenience of a very large number of Senators.

So I hope we can reach agreement on that. And I will, therefore—so those Senators who have an interest in this will have an opportunity to come to the floor at approximately 2:15—propound such a request to see if we can get an agreement on that basis.

Mr. HARKIN. Will the majority leader yield?

Mr. MITCHELL. Yes, sir.

Mr. HARKIN. We have an amendment pending now. And I think all debate has been finished, and we can proceed right now to a vote on Senator HELMS' amendment. I believe all debate has been finished.

Mr. MITCHELL. The Senator from Iowa was not present during the earlier part of this conversation. One of the Republican Members of the Senate has been, by virtue of a personal emergency, called away and is not present.

They are making an effort not to have votes at this time. I am trying to accommodate that by getting an agreement that will enable us to complete the amendments and the bill, and stack the votes at a time when everybody can be here. I am trying to avoid the situation that we do not do anything now.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER (Mr. KERREY). The Senator from Illinois.

Mr. SIMON. Mr. President, I have an amendment that we set-aside until 1:45. I ask unanimous consent—our staffs are still trying to work it out—that that be set-aside until 3 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I wonder if I might proceed with a statement on a different matter.

Mr. MITCHELL. Mr. President, I yield the floor.

GOOD NEWS ON TWO FRONTS

Mr. DOLE. Mr. President, certainly, the two landmark events of this year have been our great victory in the Persian Gulf war, and the collapse of the Soviet state and Soviet communism. The changes wrought by the dramatic events continue to unfold—as was again apparent during the past 24 hours.

The Desert Storm victory has opened the door to a possible solution to many problems which have long vexed the Middle East—none more important than the problem of hostages held in Lebanon and elsewhere. It is therefore very good news, indeed, that Israel has announced the release of 51 Lebanese prisoners and the return of the remains of 9 others in its custody. That action followed the release of information by the so-called Hezbollah Shiite Muslim organization on two Israeli servicemen long missing, and now reported dead.

The families of our own hostages, and of the other hostages and prisoners being held in the region, have ridden the roller coaster of rising hopes and crashing disappointment many times. So it serves no good purpose to let our expectations get ahead of the facts. But for one of the few times, this time there is some concrete and positive developments underlying the renewed hope. So hope, and pray, we do—that this will indeed turn out to be a breakthrough to the release of all hostages.

I would also note that we must insist, when and if our hostages are released, that we also obtain a full accounting for U.S. Marine Col. Rich Higgins—taken hostage while on duty with U.N. peacekeeping forces in Lebanon. Colonel Higgins is believed to have been murdered by his captors, but we have never had final confirmation of his fate. Equally important, if indeed he is dead, we must demand the return of his remains, for final disposition by his family.

I have personally pledged to his wife, Marine Maj. Robin Higgins, that I will never rest until we—and she—obtain the full and final accounting to which we have a right. And I know that all Members of Congress, and President Bush and the members of his administration, share that same determination.

I would also note that—especially because Colonel Higgins was on duty with the United Nation at the time of his capture—it is absolutely incumbent upon Secretary General Perez de Cuellar and other U.N. officials involved in these delicate negotiations to keep Colonel Higgins' case at the top of their agenda.

Meanwhile, and almost simultaneously, we have heard the very welcome announcement that the Soviet Union will soon withdraw its military forces from Cuba.

Among a number of serious barriers to fully normalized and cordial relations between the United States and the rapidly changing Soviet Union, none has been more important than Moscow's long-time and lavish support of Castro's Communist state.

Until now, partially protected by the Kremlin's troops and bolstered by billions of rubles in subsidies, Fidel has hunkered down behind his own little Iron Curtain—keeping the democratic revolution which is sweeping the rest of the world at arms length.

If the Soviet forces are indeed removed—and if that is followed, as Soviet officials are promising—by an end to massive Soviet military and economic aid, then there will be a real hope that the deterioration of Castro's tyranny will accelerate; and there will be a real hope that someday soon we may see the restoration of freedom for the people of Cuba.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SIMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1113, AS MODIFIED

Mr. SIMON. Mr. President, I had offered an amendment urging that we take another look at our budget priorities in view of what has happened in the world. Senator BYRD made some very constructive suggestions and I modified that.

In the meantime, Senator DOMENICI has also offered suggestions and I would like to modify my amendment. I think it is acceptable to everyone at this point. I know of no opposition.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Is there objection to modifying the amendment?

Mr. SIMON. I am modifying my own amendment. Senator COCHRAN and Senator DOMENICI are here on the floor. I believe there is no objection to the amendment as it has been restructured.

Mr. DOMENICI. Mr. President, the Senator from Illinois is correct. I checked with the Republican leader, Senator DOLE. In fact, I ran it by Senator BYRD, who was present at the summit also. I do not believe we have any objection on our side. Senator GRAMM helped the Senator from New Mexico with the draft of changes. I understand with that kind of consent that it will be adopted by voice vote. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is modified.

The amendment (No. 1113), as further modified, is as follows:

At the appropriate place, insert the following:

SEC. . (a) The Senate finds that—

(1) Since the 1990 budget summit agreement, extraordinary events in the world, particularly in Central Europe and the former Soviet Union, may provide our country with an opportunity to reexamine the broad spending priorities embodied in the 1990 budget summit agreement.

(b) It is the sense of the Senate that the President of the United States and the Democratic and Republican leadership of the Congress should consider establishing new priorities. If it is so determined, based on current and changing world events, the defense spending path negotiated in the 1990 summit could be reduced in the future, then any such reduction should be made available for reducing Federal budget deficits, reducing Federal tax burdens, increasing domestic spending, or any combination thereof.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1113), as further modified, was agreed to.

Mr. SIMON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. D'AMATO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KOHL). Without objection, it is so ordered.

Mr. D'AMATO. Mr. President, I ask that I might be permitted no longer than 10 minutes to proceed as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. D'AMATO. I thank the Chair.

LOAN GUARANTEES TO ISRAEL

Mr. D'AMATO. Mr. President, we have heard a great deal lately about the problems in the Middle East, particularly with respect to the proposals for loan guarantees to the State of Israel. I find myself in the position of having to say, quite candidly, to the administration: I fail to understand what you are doing and why you are doing it.

It seems to me that our foreign policy should be one which rewards our friends, which works with our friends, and punishes the enemies of freedom and democracy.

We have forgotten the lessons of history. I remember coming to this Senate floor and being excoriated by Democrats, Republicans, and the administration alike, because I said, "no more loan guarantees to Saddam Hussein, the 'Butcher of Baghdad'." "What do you mean cutting off loans and loan guarantees to him?" One would have thought I was attacking Mother Teresa. Incredible.

Between 1983 and 1990, the United States made agricultural loan guarantees to the "Butcher of Baghdad" of some \$5 billion. As a matter of fact, he still owes us \$1.9 billion. Who knows if we will ever get paid.

Take a look at the history of the State of Israel. It has never defaulted on its loans or any loan guarantee. Never. Now, what about this \$10 billion? I have many constituents who write and say, "we should be taking care of our own. Why are we giving foreign aid? Why are we giving \$10 billion to Israel?" We are not giving \$10 billion to Israel. That is absolutely not the case.

In fact what we would guarantee, in the event the State of Israel fails to pay back its loans—and let me reiterate, she has never defaulted on any loan—\$10 billion which would come from the private sector. And what are

these guarantees for? They will meet the humanitarian needs of housing, of shelter, of infrastructure, for 1 million immigrants that are coming into the State of Israel.

The United States led the fight for Soviet Jews who sought return to Zion. We have the moral responsibility to provide them that opportunity by underwriting aid for the most humanitarian of purposes.

A short time ago, we gave billions of dollars in loan guarantees to the Butcher of Baghdad. Was he rehabilitating people, providing housing, providing shelter? No. He was gassing the Kurds, gassing the Iranians, and building his military fortress.

Who invaded Kuwait? It wasn't Israel. She was withstanding incredible physical and psychological torment. I was there when the Scud missiles were coming into Israel and the people were saying "What will we do? What will we do?" We asked and urged Israel to act with restraint. That she did. Is this her reward?

Mr. President, the \$10 billion is not going to cost the taxpayers of the United States one penny. This must be understood. Fully one-third, if not more, of the \$10 billion over the next 5 years will be spent in the United States, producing 60,000 or more jobs, which means there will be a significant return to our economy. It will not cost the taxpayers anything. In fact, the taxpayers of this country are going to benefit. People are going to get work. The private sector is going to finance these loans, not the U.S. taxpayer.

We are asking that the United States stand up and say yes, we are part of the humanitarian effort to make it possible for a million people to come into a small country like Israel and to provide them with the basics, with shelter, with infrastructure, with job opportunities. It will create jobs here. And that is the right thing to do: reward our friends and punish our enemies.

This may seem too simplistic, but I suggest to you that we have had a foreign policy that all too often has done the opposite—rewarding our enemies with promises of what we will do for them, including giving them loan guarantees only to see them attack us, clearly flying in the face of what democracy and moral values can and should be about.

That makes no sense. What this will do is set back the peace process. Who wins with this approach?

The PLO? The hard-line, militant Arabs who now say that the United States relationship with Israel, is less than what it has been; less than the total commitment of support for a precious ally with the voices of democracy. If the peace process is ready to go ahead, let it go ahead. Let the issues, the complex issues that may exist, be debated and negotiated at the bargaining table.

I do not believe that holding Israel hostage as it relates to this \$10 billion is right, morally or politically. It is unconscionable. It is not the noble course that this Nation should be seeking or undertaking. It is not a course where we are standing up for what is morally correct. If anything, we put ourselves in the place of a blackmailer for the wrong purposes.

I hope that we will reevaluate this position. I hope that the Congress of the United States, working together with the administration, will fashion a course that says we stand with our friends, and we stand for democracy.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WOFFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WOFFORD. Mr. President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LOAN GUARANTEE TO ISRAEL

Mr. WOFFORD. Mr. President, I have just read the dispatch telling that the President has threatened to veto action by the Congress of the United States for a loan guarantee to Israel. I rise to say that I think this policy of linking the loan guarantee to the peace process—delaying this loan guarantee because of the peace process—is unwise and is wrong.

Now is the time, after we have just shown with such dedication in the Persian Gulf why it is important to act for peace in the Middle East on behalf of an independent Arab State, to stand firm in our support of the one true democracy in the region.

We who have had such a stake in getting Soviet Jews and Ethiopian Jews free to go to Israel should take this action now. I was once in Ethiopia, with the Peace Corps, working with the Ethiopian Jews. And I've worked in the Soviet Union as president of the International League for Human Rights, with the Soviet dissidents, seeking freedom for Soviet Jews. Knowing what America has done to press for that freedom, it seems to me that this is no time for delay in showing our commitment to assisting not by a loan but by a guarantee for an ally whose record of paying loans to this date has been perfect.

Therefore, I strongly dissent from the President of the United States, who has threatened to veto an action which the conscience of the world calls for us to take.

Thank you, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ADAMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ADAMS. Mr. President, I am listed on the list of having an amendment involving the prosthetic foot. I will be offering that amendment. Prior to offering it, I was going to make a short statement. I think it has been agreed upon by both sides, but I wanted to explain it, because there has been a great advance not only for Members of this body but for some of the senior citizens in this country.

I am very pleased to offer this amendment to H.R. 2707, because it is intended to ensure that the Rehabilitation Service Administration of the Department of Education provides the full funding for those few vital programs in the field of prosthetic education. I have watched with growing alarm over the last few years, as my distinguished colleague from Iowa has, as the RSA has cut back on these educational programs, because to have someone use one of these types of prosthetic devices requires considerable skill in the educational area.

One of the programs funded under this Federal effort is at my alma mater, the University of Washington, in Seattle. I am extremely proud of the work that is being done on that program in the Department of Rehabilitative Medicine in the University of Washington Medical School. I have seen the use of this in such people as a former Member of this body, Senator Magnuson, which gave him years of additional usage of his limbs, and the ability to do things that he had not and would not have been able otherwise to have done.

The amendment will ensure that the RSA provides adequate funding for O&P education by restoring the funding in the O&P program to its former level. This important rehabilitation field will be able to address the continuing challenges and serve the Nation's disabled population. I commend the leadership Senator HARKIN has shown, both on this subcommittee and on the Senate Subcommittee on Disability Policy, where his leadership and vision have reflected to Americans with disabilities one of the most important pieces of civil rights legislation this Nation has ever known and ever seen.

I believe this amendment is supportive of the objectives and goals set in this landmark legislation and I urge its adoption. I know of no objection to this amendment.

AMENDMENT NO. 1115

Mr. ADAMS. Mr. President, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments will be set aside.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Washington [Mr. ADAMS] proposes an amendment numbered 1115.

Mr. ADAMS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 57, line 3, before the period, insert the following: "Provided, That of the funds made available under this heading, no less than \$1,400,000 shall be for the full funding of orthotics and prosthetics training programs".

Mr. ADAMS. Mr. President, I am pleased to offer an amendment to H.R. 2707 intended to insure that the Rehabilitation Services Administration of the Department of Education provide the full funding necessary for those few vital programs in the field of orthotic and prosthetic education. I have watched with growing alarm over the past few years, as has my distinguished colleague from Iowa, as the RSA has cut back on these educational programs. By restoring the funding of O&P programs to its former level, this important rehabilitation field will be able to address its continuing challenge: to serve the Nation's disabled population.

One of the programs funded under this Federal effort is at my alma mater, the University of Washington in Seattle. I am extremely proud of the work being done in that program in the Department of Rehabilitative medicine at the University of Washington medical school.

Over the last 21 years that program has graduated 188 students, whose proficiency in their chosen field has been in the profession's national certification examinations. Those graduates have gone on to careers providing quality care for thousands of disabled patients throughout the United States.

The Seattle area, with the University of Washington and Prosthetic Research Study provides those students with a unique opportunity for interaction with current research and development. Those students spend time working directly with leaders in the field of computer-aided design and computer-aided manufacturing of prosthetic devices. Just this month, Prosthetic Research Study of Seattle, WA, was a 1991 National Award Recipient from Allied Services, a national leader in the field of providing resources for people with disabilities. Prosthetics Research Study is one of the world's leading centers for the research and development

of mobility aids for the disabled, including the Seattle Foot, worn by more than 65,000 amputees.

Practitioners trained in orthotics and prosthetics design and fit braces and prostheses that enable physically challenged individuals to overcome often serious and crippling conditions and return to productive lives. Unfortunately, cuts in funding by the RSA may jeopardize the availability of these critical services.

Orthotic and prosthetic [O&P] services are provided by highly-trained, certified, allied health practitioners. These professionals evaluate the needs of individual patients, often in emergency situations, and consult closely with prescribing physicians to fit patients with the appropriate orthosis [brace] or prosthesis [artificial limb] for his or her individual needs. Orthotists and prosthetists have long-term involvement with their patients, instructing them in the proper use of the brace or prosthesis and conducting follow up care throughout the course of the patient's disability or rehabilitation to ensure that the brace or prosthesis continues to fit properly and is properly used by the patient.

The O&P field is a relatively small one, with only about 2,600 certified practitioners available to serve the entire United States. The services of the O&P profession are rehabilitative in nature. Typically, they reduce the length of stay for beneficiaries in costly inpatient settings and help restore mobility and ability to function unaided, making it possible for the O&P patient to return to useful work.

The practice of orthotics and prosthetics is unique among the allied health professions since it calls for a mix of clinical and mechanical/engineering skills. The teaching of the necessary skills to provide specialized O&P clinical care is a painstaking process. It requires education in an extensive interdisciplinary curriculum which includes such varied subjects as anatomy, physiology, kinesiology, and materials property.

For over 20 years, the profession of orthotics and prosthetics has relied exclusively upon the RSA to provide funding for the schools which provide orthotic and prosthetic education. These funds have been critical to this very expensive and very specialized education. Many of the 10 schools which have historically provided such educational opportunities are State institutions. These State institutions are restricted by their respective legislatures from charging a self-sustaining tuition for the O&P programs which require costly materials and fabrication laboratory facilities.

The O&P profession is experiencing a funding crisis. Since 1988, O&P education funding has been substantially cut. In fact, O&P programs at New York University and the University of

California at Los Angeles have both closed and Florida International University is presently evaluating the viability of continuing its program. In the past, no program has been resuscitated after losing RSA funding. Additional school closings will occur if RSA continues on its present course.

Despite numerous attempts by the O&P field to secure relief, the RSA has persisted in ignoring the needs of this fragile profession, and continues to disregard the will of the Congress. The RSA is clearly permitted to expend funds for education in O&P, and has done so for nearly 20 years. The recent reductions in O&P education funding serves to dilute the objectives expressed by Congress in the Americans With Disabilities Act [ADA], and defy specific congressional directives to restore O&P training funding to its former level. In addition, direct inquiries from my office have failed to elicit an appropriate response from RSA.

Although Congress has been clear with respect to its intent to continue funding O&P education, the RSA continues to reduce O&P funding. If RSA later restores funding to any closed program, the agency will have to spend additional monies for the startup of closed programs—sums that would be saved if the RSA kept these programs alive. If any of the programs remain closed, the need for O&P training will simply not be met.

Orthotics and prosthetics has the potential to help children, the elderly, and especially trauma victims live full and productive lives. However, the success formula requires a continuous stream of qualified practitioners. The RSA's actions to date may jeopardize the realization of the goals envisioned by the passage of the Americans With Disabilities Act. Without RSA financial support and the resulting decrease in practitioners, the needs of America's disabled cannot be adequately served.

This amendment will ensure that the RSA provides adequate funding for O&P education. By restoring the funding of O&P programs to its former level, this important rehabilitation field will be able to address its continuing challenges and serve the Nation's disabled population.

I commend the leadership Senator HARKIN has shown, both on this subcommittee, and on the Senate Subcommittee on Disability Policy, where his leadership and vision were reflected in the Americans With Disabilities Act, one of the most important pieces of civil rights legislation this Nation has ever seen. I believe this amendment is supportive of the objectives and goals set in that landmark legislation, and I urge its adoption.

Mr. President, I ask that the managers approve this amendment.

Mr. COCHRAN. Mr. President, while the manager on the Democratic side comes to the floor let me just say that

we have taken a look at the amendment of the distinguished Senator from Washington. We have no objection to it on this side and recommend that it be approved.

Mr. HARKIN. Mr. President, we, also, have no objection to it. We accept the amendment and urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington.

The amendment (No. 1115) was agreed to.

Mr. ADAMS. Mr. President, I move to reconsider the vote.

Mr. HARKIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ADAMS. I thank the managers.

ORDER OF PROCEDURE

Mr. COCHRAN. Mr. President, we are trying right now to work out a list of amendments that Senators plan to offer so that we will know which amendments will be offered. Then we will have some idea how much time debate may take and we may be able to vote on final passage of the bill. There is still some discussion about one of the amendments.

I have one amendment that is on the list and I am prepared to offer that if it fits with the schedule of the managers of the bill. I am awaiting copies of the amendment to be delivered to me in their final form, but just for the information of Senators, if there is any interest in looking at the list of amendments or knowing what we may be about to have propounded as a unanimous consent-request, now is the time to inquire because we are at that point in the management of the bill.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the only remaining amendments in order to this bill, other than the pending Helms amendment No. 1114 and the excepted committee amendments, be the following, that they be considered under the time limitations listed and that the time be evenly divided and controlled in the usual form:

An amendment by Senator KERREY of Nebraska regarding impact aid, 5 minutes; an amendment by Senator FORD regarding Medicaid, 30 minutes; an amendment by Senator HELMS regarding Pell grants to the committee amendment, 20 minutes; an amendment by Senator COCHRAN regarding model garment programs to the committee

amendment, 1 hour; an amendment by Senator DOLE regarding impact aid to Kansas, 10 minutes; an amendment by Senator HATCH regarding home health, 20 minutes; an amendment by Senator SEYMOUR regarding SLIAG, 45 minutes; an amendment by Senator SEYMOUR regarding OSAP post partum babies, 20 minutes; an amendment by Senator SMITH regarding sense-of-the-Senate, Ryan White, 10 minutes; and amendments agreed upon by the managers.

Further, that there be 5 minutes for debate remaining on the pending Helms amendment No. 1114, that there be 10 minutes for debate remaining on the bill; that once this agreement is agreed to, all committee amendments be agreed to en bloc with the exception of the pending committee amendment and two additional committee amendments, one beginning on page 9 and one beginning on page 60; and that following the disposition of any second-degree amendments to these excepted committee amendments, the committee amendments be deemed agreed to, as amended, if amended, without further debate.

I further ask unanimous consent that any rollcall votes ordered to occur on the above-listed amendments be stacked to occur today at a time to be determined by the majority leader, after consultation with the Republican leader, and that if debate and disposition of the above matters have been completed prior to the time set for the rollcall votes to occur, then in the intervening time the Senate proceed to the consideration of H.R. 2686, the Interior appropriations bill.

Mr. HATFIELD. Mr. President, reserving the right to object, and I do not plan to object, I would like one clarification or two. On the pending amendment by Senator HELMS, No. 1114, I wonder if the majority leader would include in that, to be disposed of by a tabling motion.

Mr. MITCHELL. I have no objection to that.

Mr. HELMS. I did not hear the Senator.

Mr. HATFIELD. I suggested that the pending Helms amendment, at the expiration of the time, it would be disposed of by a tabling motion.

Mr. HELMS. I say to the Senator, I would much prefer an up-or-down vote, but a tabling motion is the very same thing. The people of this country understand that it is a distinction without a difference and a difference without a distinction, but that would be satisfactory with me.

Mr. MITCHELL. Mr. President, I so modify my request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, further clarification, I would also suggest that on the second Helms amendment relating to Pell grants that that be dis-

posed of, at the expiration of the time, by a voice vote.

Mr. MITCHELL. Mr. President, I do not believe that is appropriate to include in a unanimous-consent agreement. This agreement does not require a rollcall vote. If we get to that amendment and there is no demand for a rollcall vote, then it can be disposed of without a rollcall vote. I do not believe it appropriate to attempt to include that in the agreement in advance.

Mr. HELMS. Mr. President, I wonder if the distinguished leader would permit me to request a brief quorum call so I could speak with him?

Mr. MITCHELL. Certainly.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I renew my request.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I thank my colleagues, the distinguished managers of the bill.

I now yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from New York.

Mr. MOYNIHAN. Mr. President, would I be correct that the pending business is the amendment by the distinguished Senator from North Carolina?

The PRESIDING OFFICER. The Senator is correct. The amendment is under a time agreement.

Mr. MOYNIHAN. Mr. President, I move to table the amendment.

Would the Senator wish to speak? There is 5 minutes, I believe.

Mr. HELMS. I was just asking if the Senator would withhold so I could speak for about 3 minutes?

Mr. MOYNIHAN. Yes, sir, of course. I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, there were very few Senators on the floor this morning during the debate on the pending amendment. So, obviously, Senators cannot possibly know much about it. I think the best illustration I can offer for what the amendment is about is to ask informally that I be permitted to place a copy of the sex survey questions, on both the Democratic and Republican tables.

The material is not prepared by me. It is a photocopy of a few of the actual survey questions so that Senators may at least look at them.

Furthermore, I would just say in connection with this, that for any Senator

who may not feel that the sex surveys are all that bad, I hope they would at least glance at the questions. It might turn their stomachs a little, but I think they ought to know what I am talking about. I am not going to read any more questions. I read just two this morning and that was quite enough.

The point is this: Title X is the planned parenthood title. Title XX is the only Federal program that seeks to persuade young people that sexual activity before marriage should not occur. We have only one program. Both title X and title XX have been authorized. But in this bill, only title X has been funded. I propose to transfer the money from the sex surveys and put it into title XX so that title XX will not become extinct.

I hope Senators will have an opportunity to give some thought to that.

I thank the Senator for withholding.

The PRESIDING OFFICER. The Chair recognizes the Senator from New York.

Mr. MOYNIHAN. Mr. President, in the spirit in which the distinguished senior Senator has spoken, I would like to say the same, and appeal to colleagues on both sides of the aisle—this is hardly a matter of partisanship—to understand that the work that is contemplated would be, among other things, the first serious, systematic effort to learn the fertility history, both of adult women and of adult men, at a time when one child in four in our country is born out of wedlock. In the Senator's State 1 in 4; in mine, 3 in 10; in some cities, 7 in 10; in some groups, 6 in 10.

Across the Nation, this is a wholly new experience. In the past 30 years the illegitimacy ratio in our country has grown from 5 percent to 26 percent. The Canadians have something of the same experience. Other nations, such as Great Britain, as well.

This is not an understood phenomenon. It is new. It is at the base, almost surely, of most of what we call the social problems in our country.

This is a responsible effort by mature demographers, social scientists, trying to get a record of an unprecedented experience for the Nation. It is serious work today—social science on a new subject of the utmost gravity. I cannot suppose that we will not let the National Institute of Child Health and Development go forward with this study at the National Opinion Research Center at the University of Chicago.

So, Mr. President, I respectfully move the amendment be tabled.

Mr. HELMS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MOYNIHAN. I believe, Mr. President, the votes have been delayed to a later period in the day.

The PRESIDING OFFICER. The Senator is correct. The vote will occur later today.

Mr. MOYNIHAN. I thank the Chair.

The PRESIDING OFFICER. Chair recognizes the Senator from Mississippi.

AMENDMENT NO. 1116 TO EXCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 9, LINE 10

(Purpose: To prohibit the Secretary of Labor from expending certain funds for the implementation or enforcement of certain regulations concerning model garment programs)

Mr. COCHRAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN] proposes an amendment numbered 1116 to the excepted committee amendment beginning on page 9, line 10.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 9, line 10, strike out "\$231,326,000," and insert in lieu thereof the following: "\$231,326,000, none of which shall be expended by the Secretary of Labor to implement or enforce model garment regulations or model garment enforcement policy promulgated under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.)."

Mr. COCHRAN. Mr. President, this is an amendment to the committee amendment on page 9 which will prohibit the use of funds in this portion of the bill by the Secretary of Labor to enforce regulations relating to model garment programs, or model garment enforcement policies of the Department of Labor under the Fair Labor Standards Act.

Specifically, the purpose of the amendment is to recognize, as a matter of law, that such model garment programs should not be included under the wage and hour rules of the Fair Labor Standards Act for the following reasons.

For some years now, retail fabric stores—those selling bolts of cloth, buttons, and other items that are used to make garments, patterns that are used by people in their homes to make clothes—have had programs with their own employees that would permit an employee to receive fabric at no cost, with patterns and other necessary items to make clothes, and then to proceed to make model clothes to display in the store so that customers could see the kinds of clothes that could be made with the materials that are for sale in that fabric store. And at the end of the display period, which customarily is 3 to 6 weeks, the employee would then be permitted under this program to keep the dress or keep the clothes that the employee made. This turned out to be a very popular program with

a lot of employees in many fabric stores all over the country.

A question was raised, though, by some who considered this to be a violation of the wage and hour rules under the Fair Labor Standards Act because the employees were not actually paid in cash, or as a part of their earnings by the store, for making that garment at home for display in the store. But it was considered by both the employer, the store owner, and the employee to be fair compensation if the employee could keep the garment after it was displayed for a short period of time. And so that is the issue. Is that kind of program violative of the wage and hour rules of the Fair Labor Standards Act? Many said it was; some said it was not. So the issue was debated. Finally, in 1988, the Department of Labor issued regulations which seemed to support the exception of this program from the Fair Labor Standards Act.

You read the regulation, like I guess a lot of Federal regulations, and you think it is going to conclude one way, and then it turns out with two paragraphs right at the end, after they talk about the program and talk about how there ought to be a separate policy for the model garment program under the Fair Labor Standards Act—it does not criticize this program; it does not say it violates any laws—then it gets to the end of the regulations and it says:

An accurate record in home worker handbooks is maintained of all hours worked in the home sewing activities and the employees are paid for all hours worked both in the stores and in the home sewing activities in accordance with the provisions of the FLSA.

Having gone through this entire page of regulations talking about how this was a good program and how it benefited employees, it was popular with them, it showed consumers the kind of clothes that could be made with the fabrics there, it was good for the business, it was good for the employers, they then go down there and say but if you are going to have a program like this, you have to keep a record of all the hours worked at home and then you have to pay, separate and above giving the free clothes, for the work—the wage is the same for the home work—that would have been paid if the worker performed in the store. And so there is no program, in effect, under this regulation.

But when the minimum wage bill that we had before the Senate a few years ago was on the floor, I filed an amendment similar to the one that I filed today. This was the bill that changed the minimum wage rules, phased in increases in the minimum wage bill, and it was my hope that the Labor Committee would take a look at that problem and deal with it on that bill.

After some discussion with the chairman of the Labor Committee, Senator KENNEDY, I was promised that if I

would not push that amendment at that time that Labor Committee staff would work with our staff and we would try to meet with the Department of Labor officials and resolve this dispute so that there would not be a termination, in effect, of the model garment programs in all the fabric stores in the country.

I am sad to report that, after some meetings were held, no progress whatsoever was made in getting any changes to these regulations that were issued in 1988. And so we come to this point in time, Mr. President, where we have run out of any other avenue to pursue what seems to this Senator to be a clear misunderstanding of the kind of program that the model garment program is, the fact that it is fair to employees.

The employees, frankly, enjoy being able to get the free materials from the store in which they already work and then to get patterns and to work at home on their own to make display garments for the store and then keep them and show them to their friends or wear them and enjoy them.

I have, for example, a petition—I have received a lot of calls and letters when this first started being discussed—but I have a petition from some employees in one store in Michigan who heard about the fact that we were trying to modify this program and permit it to go forward.

I ask unanimous consent, Mr. President, that a copy of this petition that is signed by a number of employees be printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

JUNE 1, 1990.

We, the undersigned, who are employees of Minnesota Fabrics #613 (Warren, Michigan), would like to express our outrage at the elimination of our model garment program. We have been compared to "sweatshops" and we would like to make it quite clear that this is a misnomer.

(1) This program is a voluntary program. Some employees choose not to make items, be it for personal reasons or disinterest. Many of the employees are delighted to make craft items or garments. We are willing to put our time in because we enjoy sewing and learning new and more efficient methods of construction.

(2) We consider this program to be a truly wonderful benefit of our job. We get to experiment with new materials, patterns, accessories, and methods. It is most certainly to our advantage that we get our materials at no charge. We are able to update our wardrobes, where some may be lacking because of the expense. We are able to make things as gifts, where maybe we would have been very reluctant because of the cost and time involved.

(3) It is to our advantage and the store's to make our model garments. We are walking advertisements for our merchandise. We are able, first hand, to know if a fabric is suitable, durable, and compatible with our needs. We are able to help our customers with quirks, problems, or advantages of certain patterns. Customers are able to see garments

in a variety of sizes, too. It often is very difficult to picture a garment in a size 16 or 18 when the garments that are sent in and the pattern books are only showing them in svelte sizes.

(4) The model garments we make are often characteristic of our region and a reflection of our customer's needs. We reflect a broad cross-section of people. One store may cater mainly to professionals who are looking for suits, maybe dry-cleanable and made by dressmakers. Another area caters to working women and homemakers looking for easy care fabrics and styles that they can make for themselves and their families. It is not uncommon for customers to inquire, comment, and compliment us on garments that have long been down from displays. We see the needs of our customers and we do our very best to accommodate those needs.

(5) Our store is "personalized" by our model garments. When a customer walks into our store now, it is nearly void of "personality". Now we are fixtures, fabrics, and signs. No longer do customers walk in the door and "tour" the store! The few garments that have been sent in are too basic, poorly constructed, unstylish, and uninteresting. Our customers also can see the same garments at every store in the district! Rarely do they stop and "check them out", ask questions, or choose to use the same patterns and fabrics. Our customers see the pride we have put into our own model garments. They often take ideas away with them and/or want to duplicate them.

In conclusion, we feel strongly that for the opinions of a few, we are being deprived of a fine program. It is a program of which we are very proud! We enjoy it a great deal, see it as a substantial "perk" to our job, and maintain that it is a necessity to the advertising and the selling of our products.

LYNNE A. SETLAK
(and 12 others).

Mr. COCHRAN. Mr. President, in essence, what these employees are saying in their petition, which is a request for reinstatement of this kind of program, is that this is a voluntary program. Some employees choose to make clothes. Some do not. Many of the employees are delighted to do this. "We are willing to put our time in because we enjoy sewing and learning new and more efficient methods of construction. We consider this program to be a truly wonderful benefit of our job." And then they go on and talk about some of the other aspects. Customers are able to see the garments in a variety of sizes. They talk about how most model garments are in very small sizes, whereas most average people may be bigger than the small sizes that are displayed in a lot of the retail merchandise stores that we are normally accustomed to seeing. They say this is really a characteristic that is appreciated by many customers.

In conclusion, I am going to quote from the petition—

*** we feel strongly that for the opinions of a few, we are being deprived of a fine program. It is a program of which we are very proud! We enjoy it a great deal, see it as a substantial "perk" to our job, and maintain that it is a necessity to the advertising and the selling of our products.

And then a number of employees have signed the petition.

But that is not unlike many of the calls and letters that I have received since I have been working to try to restore this program. The American Home Sewing Association has been in contact with me. A number of stores in my State enjoyed this program. Now they are, in effect, out of business. The stores are not as attractive, I am told, and it is a shame that these employees cannot voluntarily engage in this home sewing program that supplements their ability to provide for their own needs. It deprives them of opportunities to learn new ways of making clothes to benefit their families.

So it seems to me, Mr. President, that this is a very harmless exception to make to their Fair Labor Standards Act. I know the hue and cry that rises from the union leadership when you make any exception to the Fair Labor Standards Act. We cannot get anywhere in talking about a voluntary agreement or a change in these regulations that would be recommended by those on the other side of the issue to the Department of Labor. So the Department of Labor will not move on it. They do not want to get confronted with a big, long, drawn-out confrontation over this small issue because it, to them, is a very small issue. To the people involved, it is a very important issue.

So I bring it up again, Mr. President, in hopes that we can agree to make this modest change. It is not going to destroy the integrity of the protections of the Fair Labor Standards Act for wage earners, from those in the sewing industry, for the garment plants around the country. It is not going to do any damage to the integrity of those institutions or to that industry or to the workers, to the union members as well.

So I hope the Senate will look anew at this issue today and approve this suggested change, which is very modest. But I hope I have been able to explain it in a way that is understandable to the Senate so that we can agree that it is something that needs to be done.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I thank the Chair. First off, I will inquire of the distinguished Senator from Mississippi if he will be willing to make me a principal cosponsor of this amendment.

Mr. COCHRAN. Mr. President, I appreciate the Senator's suggestion, and I ask unanimous consent that the distinguished Senator from North Carolina be listed as a cosponsor. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. I thank the Senator and I thank the Chair.

Obviously, Mr. President, I support this amendment and do so enthusiastically. It is a first step toward achieving a full loaf, as the saying goes. This

amendment just makes plain common sense. It allows employees to sew model garments at home which are then displayed at the store, and then the employee owns the garment. The employee loves this program. The store likes it because this is a model for display of patterns and all the other things necessary to sew dresses and other pieces of apparel.

Mr. President, here is how the program used to work before the Department of Labor stuck its nose into it: A retail store would decide to give several employees some fabric and some patterns and the employer would say, "If you sew this at home, we will display it at our store for a few weeks or a few months and then you can have the dress." Obviously, as I said earlier, the employees loved this program because it gave them a chance to sew a new dress for themselves. But then the Department of Labor stepped in and said, "Oh, no, no, no, you cannot do that."

You have to keep records and pay minimum wage and all the rest of the Federal bureaucratic gobbledygook. This is a result of the current ban on home work in women's apparel. Well, of course, the employers do not want to go through all of that redtape—so the program falls. They stopped programs that were such a benefit to the employees and beneficial to the store itself because it helped focus attention on the fabric and all the rest necessary for making the dress.

It seems to me, as the Senator from Mississippi so eloquently said, we should be encouraging this type of program, not discouraging it. This program was a benefit to the employee because the employee was able to keep the dress, and furthermore, the employer provided the material for the garment at no cost to the employee.

I do hope Senators will approve this amendment, because it is a good one. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, an effort is being made to resolve the amendment that I had just offered on the Model Garment Program, and while negotiations are underway, we are willing to go forward with a couple of other amendments that we could proceed to consider that would not require any roll call votes.

So I ask unanimous consent that the Cochran amendment be temporarily laid aside so we can proceed to other business.

The PRESIDING OFFICER (Mr. DIXON). Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 1117

(Purpose: To require the Secretary of Education to treat certain States as being in compliance with certain regulations with respect to Impact Aid)

Mr. COCHRAN. Mr. President, on behalf of Senator DOLE, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. DOLE, proposes an amendment numbered 1117.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 54, line 4, insert before the period the following: "Provided further, That the Secretary of Education shall treat States as being in compliance with the regulations under section 5(d)(2) of the Act of September 30, 1950 (Public Law 81-874), if such States utilize equalization formulas, based upon the wealth-neutrality standard as contained in section 222.64 of title 34, Code of Federal Regulations, that the Secretary has not previously determined to be in noncompliance with such regulations.

Mr. DOLE. Mr. President, the recession and rising program costs have created education budget crunches for many States. Kansas is no exception. Only last Sunday, Kansas' top expert on financing elementary and secondary education for the last 25 years, Dale Dennis, stated in a newspaper article that "It's the toughest year I've been through." Now I understand that a reinterpretation of regulations under the Federal impact aid law may make it even tougher.

Impact aid compensates the States for increases in student populations and/or loss of property taxes due to a Federal presence. To ensure that Federal money is properly distributed to affected districts, States are required to develop equalization systems. In 1974, a colloquy on the subject between myself and my friend, the senior Senator from Rhode Island [Mr. PELL], pointed out that it would be extremely difficult to develop one definition or formula with which every State program would be in conformity. Instead, the colloquy suggested that the head of Education, the Commissioner at that time, be granted the latitude to only, and I quote, "Determine individually whether or not a State has 'an equalization program,' taking into account the major aspects relating to both expenditures and local effort." Although I have seen no study or review, the Department's recent reinterpretation of these regulations has moved toward a single definition. It seems to me that

the Department is getting a little ahead of itself, and forgetting that the purpose of these equalization formulas is to eliminate windfalls to federally impacted schools.

The proposed reinterpretation would present rural States, such as Kansas, with significant hardship because it allows no flexibility to adjust the formula for a district's wealth. For example, Kansas' formula takes into consideration both the tax base and student expenditures. This enables poor districts to receive State aid, while wealthier districts receive less. By ignoring the tax base of a district, the new interpretation would require that State aid be spent on our wealthier districts because these districts' pupil expenditures are greater than the Department's aid benchmark. As these districts also happen to be the largest districts in Kansas, little State-aid money would be left for truly needy districts.

And rural districts need State aid the most—smaller teacher-to-student ratios boost per-student expenditures anywhere from \$3,000 to \$5,000 above the national average. Kansas could only comply by consolidating districts to provide more cost-effective teacher-to-student ratios. However, such compliance would require that rural students ride a bus for 45 miles or more each way. In some areas, I am told, the communities are so far apart that students would have to be flown to school. That would not save any money—not to mention that pulling out these schools will turn affected areas into ghost towns.

Mr. President, to this Senator's knowledge, there has not been any allegation by anyone that this equalization formula has been abused, has resulted in any unfairness, or has been in conflict with Congress' purpose. As congressional intent is nevertheless being forgotten here, it's necessary to ensure that States which have operated within the principles of impact aid not be needlessly penalized by this reinterpretation. I would like to send the following amendment to the desk.

Mr. President, this amendment would provide that at least for this fiscal year, my State's impact aid funding is not threatened in the middle of this formidable challenge to our educational system. I appreciate the support of my colleagues in this matter.

Mr. HARKIN. Mr. President, we have no objection to the amendment on this side.

Mr. COCHRAN. Mr. President, the amendment has been cleared on this side.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment.

The amendment (No. 1117) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. HARKIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1118

Mr. COCHRAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. HATCH (for himself and Mr. HELMS), proposes an amendment numbered 1118.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 19, line 5, after the number 3302 add the following: "Provided further, That of the amounts made available under this paragraph to the Health Resources and Services Administration, the Secretary of Health and Human Services shall, after consultation with the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, transfer \$2,900,000 to carry out Section 339 of the Public Health Service Act."

Mr. HATCH. Mr. President, I rise to offer an amendment to the bill today. My amendment is a simple one. It will allow for the continued funding of the managed health care services in the home demonstration programs that are currently ongoing in five States. These States, Hawaii, South Carolina, North Carolina, Mississippi, and my own State, Utah, have undertaken the task of demonstrating this unique concept of health care. They have been funded for the past 3 years but need the funding for an additional 2 years to complete the demonstration and give us an adequate report on how the program worked. Three years is simply not an adequate time period to conclude this demonstration. The first year is spent in organizing the program and getting the staffing up to the proper levels. The second year is a productive year in finding the target population in need of the services and beginning the work called for in the demonstration. If we cut off the program after the third year the staff will start to leave in search of other employment and all we would only have 1 year of actual service to base our information for future decisions on the program. I have spoken at length to the people involved in the program and they strongly feel that a full 5 years is needed to adequately demonstrate the need for managed home health care services.

Mr. President, I want to spend a few moments on the reason that I am on the floor today defending the managed health care services in the home program. The sad truth of the matter is that all to many of our young children, and a great many of our elderly people, do not have adequate access to proper

health care. There are many reasons why this occurs. The managed health care services in the home program was devised to see if there was a way to bring the necessary health care to these people. Some of the initial reports have been encouraging. We are seeing some real success stories out there. Now is not the time to stop this important demonstration. I am fully aware that we are faced with tough economic decisions in every spending bill we debate. This is a particularly tough one since it affects the vast majority of Americans. I am supporting a concept that I believe has true merit. It not a large sum of money in the whole scheme of things, but is a great deal of money to the people who are receiving the services provided in this demonstration. I urge my colleagues to give this program a fair test and fund it for this year and the final year in fiscal year 1993. If the reports are as favorable as we think they will be, then there will be a time when every Member of the Senate will be supporting this innovative concept in health care.

Mr. HARKIN. Mr. President, we have no objections on this side.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah.

The amendment (No. 1118) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HARKIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1119

(Purpose: To insure a fair distribution of AIDS care grants. To allow for funds to be distributed to the States relative to the number of HIV cases in each state)

Mr. HARKIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for Mr. SMITH, proposes an amendment numbered 1119.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 22, line 19, insert before the period a semicolon and the following: "Provided further, That it is the sense of the Senate that none of the funds appropriated pursuant to this paragraph for 'counseling, testing, and partner notification grants' in connection with the human immunodeficiency virus shall be distributed pursuant to title IIIA of the Ryan White Comprehensive AIDS Resources Emergency Act of 1990".

Mr. SMITH. Mr. President, my amendment would express the sense of

the Senate that funds distributed for AIDS counseling, testing, and partner notification be distributed pursuant to preexisting formulas, rather than the mechanism contained in the CARE bill. The CARE formula would result in reductions for 40 States, including my own State of New Hampshire, which gets 16 cents on the dollar under the Ryan White bill.

My amendment not only protects States without metropolitan areas and with cities containing less than 2,000 AIDS patients, but it protects AIDS patients who do not live in these areas. AIDS is a problem not only in the big city. Small cities, suburban, and rural areas are not immune to the disease.

This amendment is only a sense of the Senate amendment, but I believe it puts the Senate on record more forcefully on behalf of the proposition that AIDS money be distributed to the States more proportionately to the amount of AIDS cases in each particular State.

The Ryan White bill was named after Ryan White, a young boy whose struggle with AIDS captured America's heart. Under the first part of the Ryan White bill, however, Kokomo, IN, the community from which Ryan White came would not get any financial assistance. Cities such as West Palm Beach, which has 62 children who are dying of AIDS, would receive no funds, while cities such as Oakland, San Diego, or San Francisco, which all have under 20 cases of AIDS-infected children would be among the 18 eligible cities to receive these large grants.

In sum, Mr. President, the amendment before us will insure that AIDS funds are fairly and adequately distributed in a way which will insure that all AIDS victims in both large and small States can benefit. I urge its adoption.

Mr. HARKIN. Mr. President, this amendment has been cleared on both sides.

Mr. COCHRAN. Mr. President, that amendment has been cleared on this side. We ask that the Senate approve it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire.

The amendment (No. 1119) was agreed to.

Mr. HARKIN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senator from Kansas [Mrs. KASSEBAUM] be added as a cosponsor to the Dole amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senator

from Wisconsin [Mr. KASTEN] be added as a cosponsor to the Cochran amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Senator CRANSTON be added as an original cosponsor to the amendment adopted earlier today to establish a prostate cancer research center.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, we are working out the Cochran amendment. I hope we will have that resolved shortly.

Again, I say to Senators that we have time limits. We have a limited number of amendments, and the sooner we get the amendments considered and adopted the sooner people will be able to go home tonight. Now, we have a Kerrey amendment, a Ford amendment, another Helms amendment, two Seymour amendments. The Smith amendment was just adopted. Those are the only amendments left.

I hope the Senators will come over so we can take up additional amendments to those being offered by those Senators whose names I just listed. But as long as they stay away from the floor, the longer we are going to be here tonight, Mr. President.

Mr. HELMS. Mr. President, to keep things moving, I send an amendment to the desk which I have discussed with the distinguished manager of bill, the majority and minority leader. I ask it be stated.

The PRESIDING OFFICER. Is there unanimous consent to once again set aside the amendment by the distinguished senior Senator from Mississippi?

Mr. HELMS. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1120

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The Clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 1120.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Does he yield time?

Mr. HELMS. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for as much time as he may require.

Mr. HELMS. Mr. President, let me just explain in a few moments what the amendment does. It is the same amend-

ment that the Senate approved to H.R. 2608, the Commerce, State, Justice appropriations bill back on July 30. A motion to table it failed by a vote of 38 to 60. I vitiated the yeas and nays on the amendment and it passed unanimously by a voice vote.

Mr. President, let me begin, as I did in July, by reading to the Senate a hand-written letter that I received from a hard-working, average citizen of North Carolina, who wrote:

Hon. JESSE HELMS: For the past 6 or so years we've been trying to get 3 children thru college. (At one point all 3 at the same time.) Now I find out there was an easy way to have accomplished this. I could have bought each one a gun and sent them out to commit a crime and their education probably would have been paid for. At the same time I learned of this, every governing body that effects us has either already raised our taxes or is in the process, claiming that they have cut all spending to the bare bone. The honest hard working taxpayer is being blasted from all sides while the criminal gets light sentences, early release, lawyers paid for, air conditioned cells with color TV and carpet; plus a college education. It is no wonder we're having a crime wave. The better it is made for them, the more crime you're going to get.

Please answer one question for me, Why?
BILLY TETTERTON.

PLYMOUTH, NC.

I might add, Mr. Tetterton is a small businessman who works hard and pays his taxes. He does not understand a lot of things that go on in Washington, DC, just as this Senator does not understand a lot of things that go on in Washington, DC.

Billy Tetterton is the owner of a small restaurant which he has named "The Little Man Restaurant" in Plymouth, NC.

Mr. President, Americans may find it hard to believe—as did I—but criminals are indeed able to receive Pell grants to pay for their college educations while they are in prison. You heard it right: The Federal Government is providing free college tuitions for prisoners at a time when so many law-abiding, taxpaying citizens are struggling to find enough money to send their children to college.

The amendment that is now pending would end this anomaly by making incarcerated criminals ineligible for Pell grants.

Mr. President, I believe that incarcerated persons should not receive Pell grants to pay their college tuition. In H.R. 2707—the Labor, Health and Human Services Appropriations bill—the pending bill—the Appropriations Committee proposes spending \$5,460,000,000 on Pell grants just this year, which is \$14,282,000 less than last year. Discussions concerning this year's reauthorization of the Higher Education Act have also included various proposals to increase the maximum Pell grant a student can receive from the current \$2,400 to as much as \$4,500. Some are even asking that Pell

grants be made an entitlement program while other proposals would restrict eligibility for the grants to students in the lowest income brackets—a bracket sure to include most prisoners since the majority of them have little, if any, income while they are in jail.

While I do not know the total amount of money the Federal Government spends on giving Pell grants to prisoners, I do have a newspaper article that appeared a few months ago in North Carolina which indicates that it is a significant amount of money—even by Washington's standards.

Mr. President, I ask unanimous consent that the July 14, 1991, article from the Raleigh News and Observer titled "Inmates Get Student Aid for College Courses" be placed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HELMS. According to the article, Mr. President, college professors were sent into four prisons in North Carolina to teach 223 inmates this year. Those prisoners altogether received a total of \$689,246 in student financial aid—\$345,000 of which came directly in the form of Pell grants. How did these inmates obtain so much Federal student aid money? Because the convicts' lack of annual incomes made them eligible for the maximum Pell grant award.

Fortunately for the taxpayers, the cost of tuition in this particular college program was less than the \$2,400 per prisoner the taxpayers could have been forced to fork over. However, the taxpayers were still stuck with paying close to \$1,550 per inmate in the program.

Mr. President, the fact remains that the American people still spent \$345,000 worth of Pell grants for just 223 prisoners from only four prisons in North Carolina. Now if we multiply that amount by all the inmates in every prison all across the country who are taking college courses at Federal expense we are probably talking about hundreds of millions of dollars.

How do we justify this massive expenditure of money to the millions of American taxpayers forced to foot the bill for these inmates' college tuition while the taxpayers themselves are forced to take out thousands of dollars in loans to send their own, law-abiding children to college? The answer is that it cannot be justified.

Mr. President, an article that appeared in the Chronicle of Higher Education this past June 5 notes that several States have discovered that the Pell grant program is a great way to spend less of their own money on vocational rehabilitation for prisoners. Instead of paying for it out of the State's budget, they encourage the inmates to apply for Pell grants.

The article also notes that the practice could become more widespread as

States become squeezed by financial problems and as more States turn prison management over to private companies.

However, Robert Keys, president of John Wood Community College in Illinois, has refused to let his school help prisoners apply for Pell grants as the State of Illinois has asked him to. Mr. Key's refusal is based on his belief that using Pell grants to offset State prisoner rehabilitation spending "does not seem to be consistent with the intent of the Pell grant program." As Mr. Keys said, "if more prisoners receive Pell grants at the State's prodding, that might mean that some deserving student in North Carolina or someplace else doesn't."

Mr. President, I agree with Mr. Keys and I respect him for sticking by his guns. It is important that prisoners be made ineligible for Pell grants now. The number of prisoners in the one program in North Carolina jumped from 158 last year to 223 this year. So, the word is getting around with increasing speed and we can expect that—unless this amendment is approved—more and more inmates will take advantage of this free college education in the future.

I expect Senators will hear arguments about prisoner rehabilitation and sundry other concerns about the poor plight of prisoners. But the fact, Mr. President, is that the Federal Government already spends large amounts of money on prisoner rehabilitation and prison literacy programs. And Congress has already, as part of the Anti-Drug Abuse Act of 1988, denied Pell grants and numerous other Federal benefits to individuals who are convicted of possessing or trafficking in drugs. That act denies any grant, contract, loan, professional license, or commercial license to convicted drug criminals. I see no reason why other criminals, including murderers, should be treated any better.

Mr. President, some may say that the measure of whether prisoners should get student aid should be based on the benefit it provides society; that is, does a diploma change prisoners? Well, the Raleigh newspaper's interview with a 65-year-old student prisoner, David Ellis, was as revealing on this point as it was candid and honest.

Mr. Ellis stated that his college classes seemed like something out of a remedial high school. Mr. Ellis went on to say that one student was kicked out of class when he raised his hand during a test, forgetting that he had scribbled cheat notes all over his wrist and palm. This 65-year-old man—who has been around awhile—also observed that many of the inmates were taking the classes just for so-called gain time—because for every course a prisoner passed, the prison would knock 20 days off the inmate's sentence.

Mr. President, Mr. Ellis made one other comment that I have to admire for its honesty and truthfulness. He said, regarding his tuition assistance, "I really don't deserve this."

I do not mean to be cruel or spiteful, but I think this prisoner is absolutely right, Mr. President.

If one inmate, receiving the largess of this program, can understand the fundamental moral inconsistency in what the Federal Government is doing, then we—the people's representatives—should understand it as well. If we do not, I guarantee you that the criminals will, and do, understand the message this program sends them.

Mr. President, our duty in providing Federal funds for student financial assistance—particularly in this era of budget deficits at both the State and Federal levels—is to first satisfy those seeking a college education who are not in prison. Otherwise, we send a message to the public that if you commit a crime serious enough to be sent to prison you can be rewarded with a free college education—something that thousands of taxpaying, law-abiding Americans are unable to afford.

I reserve the remainder of my time. I yield the floor.

EXHIBIT 1

INMATES GET STUDENT AID FOR COLLEGE COURSES

(By Billy Warden)

In a drab room heavy with stale air one floor below death row, David Ellis leans forward as if to confide a secret.

"I really don't deserve this," he says.

He's not talking about the life sentence he's serving for first-degree sex offense. He's talking about his education. First, taxpayers put Mr. Ellis in prison. Now they're putting him through college.

Mr. Ellis, 65, entered Central Prison on Nov. 4, 1988. A year later he began going to class in a spartan room, just past a row of cramped steel cages.

Shaw University provides the teachers, the materials and the diplomas. Federal and State aid programs provide the money. Mr. Ellis receives a federal Pell Grant, the chief means of financial aid for poor students, as well as several state grants that benefit the poor.

He points out that most prisoners will one day be back in society and will need a college diploma to lead productive lives.

"These programs," he says, "don't hurt anybody."

But they have rankled many. Lt. Gov. James C. Gardner fired off a letter to Sen. Jesse A. Helms this month opposing grants for prisoners.

"I find it outrageous that our government is paying for what amounts to a free college education for criminals," Mr. Gardner wrote. "It sends the message that if you commit a crime serious enough to be sent to prison you can be rewarded with a free college education, something that many law-abiding citizens cannot afford. * * * I would rather see prisoners apply for student loans and be required to pay * * * the government back."

State Sen. Daniel R. Simpson isn't pleased either.

"I am upset about tuition money going to prisoners when I don't think everyone in this

state who isn't in prison and who wants and needs help can get it," says Mr. Simpson a Republican from Morganton.

"First, we've got to satisfy those who aren't in prison. If there's any money left over, and the prisoners want an education, I think that's fine."

Last year, Shaw sent professors into four prisons to teach 223 students. The inmates received \$689,246 in aid, all of which went to Shaw. Inmates usually are eligible for the maximum amount allowed through Pell Grants, \$2,400 a year. Last year the grants, named for U.S. Sen. Claiborne deB. Pell of Rhode Island, accounted for \$345,000 of the aid Shaw received.

DEMAND GROWING

Pell Grants are a federal entitlement program, meaning that a needy college student—generally defined as coming from a family making less than \$35,000 a year—probably can get a grant. For the next academic year, the grants are scheduled to go to 3.4 million students.

The amount Congress sets aside for the program and the number of applicants determines the maximum amount of each grant. The current maximum is \$2,400.

The problem has been that the maximum has not kept pace with inflation. Poor students often take on several loans to make ends meet. Inmates don't take out loans. As one official in the State Department of Correction put it, "What bank, what business would take the risk of loaning inmates that kind of money?"

Exact figures are not available, but more inmates are lining up for Pell Grants, according to the Chronicle of Higher Education.

At Shaw, the number of prisoners using Pell Grants jumped from 158 in 1989-90 to 223 in 1990-91. The overall rise could hinder efforts to raise the dollar value of the grants by increasing the number of hands grabbing for the dollars.

Many students not in prison are counting on grants. Hasoni Andrews is a junior at N.C. State University who depends on a \$7,000 aid package, including a Pell Grant. Last month Ms. Andrews sat before a Congressional committee bemoaning the shortage of grant money.

Is she worried that prisoners using Pell Grants might jeopardize her aid?

"I think the measure of whether prisoners get grants should be what the benefit is to society," she says. "Does a diploma change prisoners, or do they get out and go back to crime?"

GETTING OUT, STAYING OUT

"Nobody," Robert Powell proudly says, "Nobody who graduated from one of our programs and got out is back in prison."

Dr. Powell is the assistant academic affairs officer at Shaw and co-founder of the prison program. In 1983, Shaw, a private, historically black college in downtown Raleigh, started offering a two-year Associate of Arts degree and a four-year bachelor's degree in business management at the N.C. Correctional Institute for Women in Raleigh.

Shaw now offers associate degrees at Central Prison, bachelor's degrees at the Harnett and Eastern correctional institutes, and associate and bachelor's degrees at women's prison.

Since 1983, 167 inmates have received associate or bachelor's degrees from Shaw at ceremonies on prison grounds. But only a handful of the graduates have been released.

Education directors at the prisons say that as far as they know, none of the graduates

released since the mid-1980s has returned to prison. If they're right, that's a zero recidivism rate. The average rate of recidivism in North Carolina is about 33 percent.

Massachusetts also gives prisoners free college educations. The overall recidivism rate there is 50 percent. For men who earn degrees in prison, it's about 10 percent.

Ex-convicts at least have a chance with a degree, Dr. Powell says.

As soon as the prison program comes up, Dr. Powell turns from bureaucrat to impassioned advocate.

"Helping the downtrodden is a part of this university's mission," he says.

The prison program is misunderstood and underappreciated, he thinks.

"We're a black institution," he says brusquely. "The prison is where the black male is. If you want to educate the black men, if you want to reclaim that talent out there, you have to go into the prisons."

"Look, man, it took us a long time to get inside those walls. People told us it would never work. But it does work, Shaw is on the cutting edge."

A BETTER PERSON?

Far from being cutting edge, Mr. Ellis says his first year of Shaw classes seemed like something out of a remedial high school.

One student was kicked out of class when he raised his hand during a test, forgetting that he had scribbled cheat notes all over his wrist and palm.

Many of Mr. Ellis' classmates were in it just for "gain time." For every course a prisoner passes, the Department of Correction knocks 20 days off the inmate's sentence.

Mr. Ellis took four classes. Each class met once a week from 6:20 p.m. to 9 p.m.

After class, Mr. Ellis found himself and his classmates ostracized by other inmates. "The men in the program are looked down on," he says. "People say, 'Oh, you're a sissy.' The black men tell the black students, 'That's a white thing to do.'"

By the second year, the slackers had flunked out or dropped out. The homework that Mr. Ellis took back to his cell got tougher. Shaw's classes aren't as "intensive" as he would like, but Mr. Ellis says he is learning.

Both UNC-Chapel Hill and N.C. State University accept course credits from Shaw, but not all the program's graduates feel particularly erudite.

"I didn't learn a lot," says Lynn Adams, 28. "What you learn you can't really apply to the real world. It's not college-level education. It's more for people who just got their high school GED and want to learn a little more."

Another graduate feels she pushed her life forward with the courses she took at women's prison. Because she wants a "normal life," she would not speak for attribution.

She left prison in 1988 with a bachelor's degree from Shaw. She was trying to start over after being convicted of second-degree murder and serving five years. "I was devastated going into prison," she says. "Being in the Shaw program, I didn't feel so isolated anymore; I got self-esteem."

A month after going free, she landed a job as an administrative assistant. She makes \$20,000 a year, \$5,000 more than she made before going to prison. She got a loan and bought a house. She now supports her high school-age daughter and is working toward a master's degree in public administration.

"I don't think that when I got out, I would have turned to a life of crime without a degree," she says. "But it kept the focus on the positive, and now I can teach my children about striving to be a better person."

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. May I say to the distinguished senior Senator from Rhode Island, as I understand it, the time allocation is 20 minutes evenly divided. The distinguished senior Senator from North Carolina has taken about 2 minutes of time. The distinguished senior Senator from Rhode Island has 10 minutes.

Mr. PELL. I thank the Chair.

I am rising to comment in opposition to this amendment that is before us at this time.

We all know that the prison population in America is soaring. Today we have a higher percentage of our population in prison, in jail, than any other nation in the world except for South Africa. In fact, the United States and China lead the world in the total numbers of prisoners.

Nationwide, the total inmate population has increased fivefold in the past 20 years. In 1970, the population in local, State, and Federal institutions was less than 200,000. As of 1988, that number has gone up to 600,000. In other words, in the short period of 18 years the prison population had tripled.

Today, there are over 1 million men and women behind bars in this country.

The cost of incarceration is enormous. On average, we spend \$30,000 a year to keep a person in jail. In other words, it costs us more to send a person to jail than to Yale.

Education is our primary hope for rehabilitating the prisoner. Without education, I am afraid we are doomed to a recidivism rate of almost 50 percent. In other words, the door into jail will remain a revolving one. With little or no education, a person will leave prison only to commit another crime and be returned to prison. In other words, prisons are becoming schools for crime.

Unfortunately, education in our prisons today is inadequate and underfunded. All too often, the main source of educational assistance is the very small amount of money we provide through Federal programs and in what is available through the Pell Grant Program.

Make no mistake about it, the amount is small. The incarcerated account for only one-tenth of 1 percent of all Pell grant expenditures. That help, however, is crucial if we are to return to society an individual who has the training to get a job and not resort to a life of crime.

Despite the small amount we invest in corrections education, we are making a difference. For those who receive education and training while in prison, the drop in the rate of recidivism is considerable. For instance, graduates of Alabama's largest inmate education program, J.F. Ingram State Technical College, have a recidivism rate that is one-third lower than that of the Alabama prison system as a whole. In Arkansas, for inmates who attain a high

school degree in conjunction with postsecondary vocational training, the recidivism rate is approximately 8 percent.

Mr. President, we can take steps to insure that funds go to those with the best chance of rehabilitation, but I do not believe that we should drop the incarcerated entirely from Pell grant eligibility. In the higher education reauthorization bill we are now putting together, we will exclude from Pell grant eligibility those who are in prison and serving under sentence of death or any life sentence without eligibility for parole or release. We will also make sure that the grant covers only the actual cost of instruction. These are changes, however, that should not be made on this appropriations bill. Rather, we should make them on the authorizing bill, which is precisely how I would like to proceed.

I realize that this is a difficult and highly charged issue. Yet, it is an issue where, if we approve the Helms amendment before us, we will pay an even higher price than we are already paying. I would ask my colleagues to join me in opposing the Helms amendment.

In this regard I ask unanimous consent to have printed in the RECORD two letters which demonstrate the importance of the Pell Grant Program to the incarcerated. One is from the National Association of Student Financial Aid Officers as well as a number of other prominent education organizations and the other is from Robert E. Obenhaus, president of the Microcomputer Technology Institute in Houston, TX.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NASFAA,

September 9, 1991.

DEAR SENATOR PELL: The National Association of Student Financial Aid Administrators (NASFAA) and the undersigned higher education associations urge you to reject any amendment to the Labor, HHS, Education Appropriations bill for FY-92 which eliminates from Pell Grant eligibility individuals incarcerated in Federal and State prisons. We believe that this legislation on an appropriations bill is inappropriate and the proper examination of this issue should occur in conjunction with the Reauthorization of the Higher Education Act which will be considered by the Senate later in this Congress.

Beyond this simple jurisdictional argument, we urge rejection of the amendment because it is neither sound education nor sound social policy. It ignores the fact that most incarcerated individuals do not spend their entire lives in prison (only approximately 8 percent of inmates are "lifers"), but are released into society after serving their sentences or are paroled. To deny these individuals a Pell Grant, which can be used to help cover their direct educational costs, and the chance to rehabilitate themselves through a postsecondary education, results in such individuals leaving prison with no further education or marketplace skills. An inmate who does not receive any additional education while in prison is more likely to fall into old criminal patterns. All evidence

shows that recidivism rates are drastically lowered for those who participate in postsecondary education programs while they are serving their sentences.

The amount of Pell Grant funds that are expended upon these persons each year, which in turn enables them to obtain an education, is a minuscule fraction of the cost of maintaining a prisoner for a year which ranges from \$15,000 to \$40,000. This is cost effective education with tangible results, not only for those who receive the educational assistance while in prison, but also for their families. There is a greater benefit to society in terms of reduced personal injury or loss of property for every individual who does not go back to a life of crime.

In the attachment, NASFAA shares with you some correspondence from incarcerated persons who have received Pell Grants in the past and the benefits they describe are worth listening to. Again, we urge you to reject any amendment which restricts eligibility for Pell Grants to incarcerated individuals.

The following higher education associations endorse this letter:

American Association of Community and Junior Colleges.

American Association of State Colleges and Universities.

American Council on Education.

Association of Catholic Colleges and Universities.

Association of Community College Trustees.

Association of Jesuit Colleges and Universities.

Association of Urban Universities.

National Association for Equal Opportunity in Higher Education.

National Association of College and University Business Officers.

National Association of Independent Colleges and Universities.

National Association of State Universities and Land-Grant Colleges.

National Association of Student Financial Aid Administrators.

National Association of Student Financial Aid Administrators.

COMMENTS FROM INCARCERATED INDIVIDUALS ON THE IMPORTANCE OF PELL GRANTS AND THEIR EDUCATION

"I understand that I am in prison for a crime. I am sorry for this but how can I change my life if there are no avenues for me, or others, to pursue? I quit school because of peer pressure and teacher pressure, my own misguided way, yes... but this college program is giving me the ability and the confidence to believe in myself. I ask you to keep the "ax" from falling upon the Pell Grants, please give me, please give people the chance to better their lives, particularly those of us who want to and need to."

"I am a graduate student at the University of (name deleted) working toward my Ph.D in an area of theoretical chemistry. Despite the demands of the program and the hectic lifestyle it gives rise to I feel very fortunate to be involved in something truly worthwhile and productive. Had someone suggested that I might be doing (and enjoying) this type of lifestyle only a few short years ago I would have been flattered but hardly in agreement with them. However, it is a reality now and it was made possible only by the moral support of caring people and Pell Grants. I served more than five years in the (name deleted) Correctional System and it was there that I earned my Associates and Bachelors degrees."

"I have a perfect 4.0 average and have been congratulated for making the Dean's List, as

a result of a lot of hard work. Without funding through Pell, this would have never been possible as I, along with the other prisoners here, have no income, nor any way to pay to attend the college classes offered at this and many other prison institutions... I had never attended college before, but once I am free (in a few months) I intend to pursue further education at a nearby community college... Now, at 30 years old, I can get my degree and have a chance at learning something that I can build on, or make a career out of. Without the opportunity to attend these classes, while incarcerated, on a Pell Grant my future would not hold the promise that it does now."

"All of the individuals who have benefitted from the (name deleted) College Program were only able to do so with the Pell Grant. That the program has been beneficial, as well as worthwhile, I can attest to; I graduated this past June... As an incarcerated woman who was given the opportunity to obtain a college education while incarcerated, I can tell you that I am 100% more secure with myself and my chances to successfully reintegrate into our society. The purpose, as I see it, to corrections is to offer individuals in prison a different approach to live productively in our society. College educations offer this in the correction setting. Sir, most respectfully I beseech you to not discontinue that Pell Grant to incarcerated individuals. We desperately need programs like the (name deleted) College program. These programs do far more than just educate, they offer us life; the productive life that will insure our success in society."

"I am a senior... My GPA is 3.18 and have received several college honors. Most of these achievements occurred while I was incarcerated. I was released two months ago from prison... A person that has college training statistically has less monitoring needs upon release than those inmates who do not have college training. Cutting Pell Grant eligibility will not save money. In fact, removing this educational opportunity from the incarcerated will cost the taxpayer much more in the long run because there would be much higher additional costs to house more inmates and higher monitoring costs when someone is released from prison."

"Pell Grants fund programs in prison that keep inmates busy. We have all heard the aphorism 'idle hands are the devil's workshop.' There is more than a grain of truth in this old saw. One of the largest problems facing prison administrators is that of finding work for inmates. College courses provide jobs for many men... They also provide incentives for good behavior because, in many facilities, only men without disciplinary problems are allowed to participate. These programs keep inmates busy and out of trouble, reducing property damage to the facilities and saving taxpayers money. Pell Grants reduce recidivism. They accomplish this by improving an ex-offender's employability, by reducing the reoccurrence of 'bad' behaviors, and by improving social skills. An ex-offender often has trouble finding meaningful work. College programs provide ex-cons with job skills and a proven record of achievement in an environment that is not conducive to self-improvement. These programs teach inmates self-confidence, self-esteem and the healthy value systems that are necessary to survive in today's society. By allowing inmates to see new possibilities, new worlds, they are better able to achieve their goals and not return to their destructive behaviors, because they no longer need to or want to. Programs often improve social

and communication skills and this reduces recidivism by enabling the ex-offender to perform better in the home and workplace, reducing stress and the impulse to commit crime. By reducing recidivism, Pell Grants save the taxpayers untold millions of dollars."

"I am writing this letter to express my concern over the possibility that the Pell Grant for incarcerated persons may be terminated. I am presently a 4.0 student at (name deleted). I really enjoy the program here at the prison. It allows me to get something positive out of a negative situation. The learning I get can benefit me for the rest of my life. I think that it will make my transition back into society much easier. The (name deleted) College Program is the most rehabilitative program here and I know that I am not alone in thinking that cancelling it would be a very counterproductive move toward correcting the behavior of the inmates who are in the program. Also, I'd like to add that the inmates who are in the program are about 93% report free."

"The Pell Grant has allowed me the opportunity to again realize my dreams and goals. I'd previously dreamed of being a history instructor, but those dreams all but evaporated when I was called upon to serve my country during the Vietnam war. We all need the educational financial assistance, because getting an education is the only realistic avenue to improving our social status. Everyone benefits when we have informed, highly motivated individuals seeking to reform their lives. Pell Grants, then, should not be discontinued. Please work to discourage the passage of such legislation. Help us return something to society, even if it's no more than an individual with renewed self-esteem and confidence."

"Most of the people that are incarcerated have little or no education or job skills, the one way that they can obtain these skills is through educational programs at their respective facilities. The cost of this education is minimal when compared to the benefits that may derive from it. There is a greater chance of conforming to the laws for an inmate who educates himself than for one who does not; further for every dollar spent to educate an inmate that succeeds in society once released the amount he pays in taxes as a productive citizen will more than offset the cost of providing him with a Pell Grant. I am presently at the (name deleted) Department of Corrections and am involved in the (name deleted) College program at my facility. I would be unable to participate in this program were it not for the Pell Grant I receive. I also believe that you should know that I am a Vietnam veteran who has a service connected disability and while incarcerated could not go to school were it not for the Pell Grant. I am not the only person in this situation, there are many, and it is these many that will benefit from education, an education they will not receive if they lose their Pell Grants. I further realize that we are the dregs of society and the easiest to attack or remove benefits from. That is one of the reasons that there is such a large recidivism rate, the people who leave the prisons of this country have no job skills; or for that matter societal skills. With the program that is going on here in (name deleted) there is a good chance that many of the participants will become productive members of society. For sure their chances are better than those not participating in this program."

"I had very little education prior to starting classes here. Now that I am obtaining that much needed education I can clearly see

where I have made my mistakes in the past. I now have a viable way to make a clean and honest living thanks to the training that (name deleted) is giving me. This will help me after my release from prison to obtain a legal job and to better serve my community in a fruitful manner. To be a productive citizen is my goal and this is a most promising start in that direction. All of this is due to the Pell Grant. The Pell Grant has brought hope to a man who had no hope of surviving at all. On my release I will be able to find a job that will support my family and I. This will also free a family from the grip of welfare and the fate that befalls the children in that predicament."

"Think about it. Education, now, in prison is far less expensive to taxpayers than the \$26,000+ annual cost of future incarceration. Education and training are necessary to reduce recidivism. Eliminating our use of Pell Grants would effectively condemn us to living on the fringes of society, along with our children, at great expense to taxpayers. The healthy attitude should be to promote our assimilation into the taxpaying workforce. This can only be accomplished by use of the Pell Grant."

MICROCOMPUTER TECHNOLOGY

INSTITUTE,

Houston, TX, August 15, 1991.

Senator CLAIBORNE PELL,
Subcommittee on Education, Washington, DC.

DEAR SENATOR PELL: It has just come to my attention that Senator Helms was successful in passing an amendment that would deny the use of Pell Grants for those who are incarcerated. I further understood that this action was in response to a complaint received from one of his constituents.

Over the past two years, Microcomputer Technology Institute has been selected to provide vocational training at several pre-release prison facilities in Texas. During this time, a number of eligible inmates have received vocational skills in these institutions and have gone on to productive jobs upon their release from prison. It should be noted that graduates from these programs greatly benefited from the Pell Grants which funded their education. I have enclosed copies of letters received from some of these inmates for your interest and review.

I realize that there may be some who believe that an inmate should be denied the educational benefits that have been traditionally available in this country. However, I am not sure that these same individuals are aware of the much greater cost to society when these inmates are not provided with suitable work skills. Throughout this country it costs between \$30,000 to \$40,000 per year to incarcerate a single prisoner. Considering the high rates of recidivism, these figures are then multiplied many times over. The cost of a Pell Grant applied to educational training would seem to be a small price to pay as an alternative to continued incarceration.

What our country needs today are more productive citizens with marketable work skills. However, to now deny inmates the right to these educational opportunities, would seem to be sending them the wrong message. Therefore, I support your opposition to the Helms amendment and would urge you, along with others, to reverse this measure.

Sincerely,

ROBERT E. OBENHAUS,
President.

SEPTEMBER 13, 1990.

MTI—CULINARY FOOD SERVICE

Upon entering in culinary food services, I had a basic skills of this class, and hoped to gain the basic skills of this course also. The class started kind of rough not knowing if or when we would get a teacher.

And we, meaning the class, were fortunate with not only a teacher that is a teacher, but with an assistant that can be a teacher; and the two have gained the respect of all inmates of the class. I feel as if I owe this individual a special thanks for letting me know; there is a way; just open ones eyes and you can be something in life other than being locked up.

And I feel we should all take this time to better our life for tomorrow, because yesterday is gone.

So, I thank you MTI and also Mrs. Davis and Mrs. Webster; for a job well done. Your care and concern has greatly benefited not only myself, but a great many other inmates at the Bridgeport Pre-Release Facility.

Sincerely Yours,

KENNETH RAY GORDON #362891.

(Student at WCC-Bridgeport Pre-Release Facility.)

MARCH 7, 1991.

DEAR SIR: I am writing in regards to one of you employees here at Wackenhut's Bridgeport Pre-Release Facility.

I would like you to be aware of the outstanding job that Ms. Angela Perkins is doing as an Automated Warehousing instructor. Ms. Perkins has undying patience, a vast knowledge of computers, and a great sense of humor. These three qualities combine, I feel, to make her the best instructor in your employ at this unit without a doubt. She has rekindled a flame in me to pursue my education after a long drought. She continues to inspire me and I feel that I can safely speak for others in the same context.

Sir, it is my opinion that her dedication and professionalism should in some way be rewarded if at all possible.

In closing, I thank you for the MTI courses here at Bridgeport and a quality instructor in Ms. Perkins.

Respectfully,

SCOTT A. MOLLETTE.

COLUMBIA UNIVERSITY
IN THE CITY OF NEW YORK,
New York, NY, August 9, 1991.

Hon. CLAIBORNE PELL,
Russell Senate Office Building, Washington DC.

DEAR REPRESENTATIVE PELL: I have been following your views on the President's education initiatives in recent issues of *Educator Week*.

My field of research is the intersection of education law and policy. I have some rather strong, and negative, views about educational choice. Those views are expressed in the first two-thirds of the enclosed draft of a book review of John Chubb's and Terry Moe's book on educational choice. The book review will appear in the *Yale Law Journal* this Fall. I am passing along a copy of the review in case it is of interest to you and those members of your staff who are working on the "choice" aspects of the President's proposal.

Sincerely,

JAMES S. LIEBMAN,
Vice Dean and
Professor of Law.

The PRESIDING OFFICER. The distinguished senior Senator from Rhode Island yields the floor, having assumed

the floor for 1½ minutes of his allocated 10. The distinguished senior Senator from North Carolina has 8 remaining.

Mr. HELMS. Mr. President, I am prepared to yield the remainder of my time.

The PRESIDING OFFICER. I inquire as to whether each of the Senators will yield their time?

Mr. PELL. I am glad to yield back the remainder of my time.

The PRESIDING OFFICER. The time is yielded back. The question is on agreeing to the amendment.

The amendment (No. 1120) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, we are making good progress now, and at the present time the pending amendment, as I understand the parliamentary situation, is the Cochran amendment. I can report that we are continuing to try to work on some language that we can agree upon and recommend adoption of that amendment. But, in the meantime, we are prepared to proceed to the consideration of other amendments. There are amendments on the list that have been ordered to be considered before we can get to final passage. We hope that Senators will come forward and offer those amendments.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Nebraska.

AMENDMENT NO. 1121

Mr. KERREY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The time allocation is 5 minutes, equally divided. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. KERREY] proposes an amendment numbered 1121.

Mr. KERREY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 54, in line 4, insert before the period the following: "except that any percentage increase or decrease in the cost of an equivalent level of education described in section 3(d)(2)(B)(i) shall be multiplied by two in making such determinations under section 3(d)(2)(B)".

Mr. KERREY. Mr. President, I thank the Chair. This amendment is a rather arcane amendment dealing with impact aid. I believe it has been cleared on both sides. It simply directs that the status quo used for the distribution of impact aid will be maintained. It corrects House language that would, in fact, have us making more rapid pay-

ments but would, in my judgment, create some inequities in the payment.

Mr. President, this amendment ensures that those school districts receiving funding under section 3(d)(2)(B) of the Impact Aid Program—that part of the program which provides supplemental funding to the most needy districts—are allowed to receive a funding level equal to current year costs as is the intent of this section of the law.

This amendment is necessary to clarify provisions that were sent over by the House in H.R. 2707, the bill before us today, and ensure that the payment to the manifold of 3(d)(2)(B) districts in our country reflect their actual per pupil costs. This amendment is necessary to maintain the status quo that was changed by the provisions drafted in the House and which was also submitted to the Congress by the administration in its fiscal year 1991 budget.

The House included a provision in H.R. 2707 that provides for the use of prior year data for all impact aid payments under section 3. This approach, using prior data, has the support of the impact aid community because it will help ensure that all federally impacted districts receiving impact aid will receive their Federal payment earlier. In fact, many school districts do not receive, nor know what their actual payment will be until after a school year is finished.

The House provision allows for the Department of Education to more quickly calculate what amount should be held back for the 3(d)(2)(B) districts and write checks for all the other districts that have "A" or "B" students. However, the problem with the House language is that the very neediest districts that were promised by the program that they would have the highest priority because of the fact that they could not otherwise offer an educational program comparable to other school districts in the State, will be receiving payments that are below their actual cost. Their payment will be based on per pupil costs from the prior year and therefore they will face a shortfall that the authorizing legislation specifically sought to avoid.

This amendment takes the percentage of increase or decrease from old data and multiplies it by 2, to bring it closer in line with current costs.

The Department of Education has seen the amendment, and it is my understanding that it is their view that this amendment will maintain the status quo. Further, the National Association of Federally Impacted Schools [NAFIS] also supports this amendment because it is attempting to maintain the status quo.

It is unfortunate that we have need to address this problem on the floor at this late hour, but it is an effort to correct an oversight that arose due to the change to prior year data under section 3 payments.

Mr. President, I want to thank the managers of this bill for their attention to this matter and look forward to working with them to see that we retain this provision in conference.

The PRESIDING OFFICER. Is there any further comment on this amendment?

Mr. HARKIN. We have no objection to the amendment.

Mr. COCHRAN. The amendment is cleared on this side.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1121) was agreed to.

Mr. HARKIN. Mr. President, I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. One of the Senators who has an amendment is on his way to the floor. Pending his arrival, seeing no other Senator with an amendment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I ask further unanimous consent that the bill under consideration be temporarily set aside and that we be permitted to operate in morning business for up to 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

LOAN GUARANTEES FOR ISRAEL

Mr. LAUTENBERG. Mr. President, I am saddened by a statement just made by the President of the United States within the last couple of hours saying that he is going to veto any legislation approved by the Congress to provide refugee loan guarantees for immigrants going into Israel if it is done before January.

I do not understand his decision to throw down the gauntlet like that instead of working with the Congress, holding discussions with us on issues surrounding these loan guarantees.

There is strong support in the U.S. Senate for extending these guarantees, and I am joining with Senators INOUE and KASTEN to introduce legislation for their approval. I am also circulating a letter to Senate Appropriations Committee members, with Senators INOUE and KASTEN, to ask the President to continue the dialog with Congress despite his announcement today.

I am not going to walk away from our commitment to the Soviet emigres and neither will others in the U.S. Sen-

ate. It is unfortunate that the White House has linked congressional action on the loan guarantees with the peace process. It has created an issue where none existed heretofore.

The request for these loan guarantees has been expected. It has been discussed for more than a year. Very specifically, it was understood that this request would be made in the first week of September. There was not a hint from the White House until last week that it had any concern about the timing of the request. And I am puzzled that the President made this announcement today when leaders in the Senate were reaching out to him and to the administration for a resolution of the differences here.

I do not think that approval of loan guarantees should have been linked to the peace process anyway. Approval of loan guarantees to assist with the absorption of Soviet emigres is a humanitarian issue, not a political issue, and should not be linked in any way to the peace process.

For decades the United States has led the world in appealing for freedom for movement, for freedom for exit by Soviet Jews. Not only did we support Soviet Jewish emigration, but we encouraged refugees to go to Israel by essentially limiting their access to our country. And now we ought to step up and meet our moral and humanitarian commitments.

As promising as developments are in the Soviet Union, we are entering a period of political and economic uncertainty, which has always been a problem for the Jews in that part of the world.

These loan guarantees have been discussed for a year. And given the congressional calendar, lack of action now means that no action will take place perhaps through the entire 1992. Nor has the administration made a commitment saying that it will support these guarantees if there is a 4-month delay.

Soviet refugees have been arriving in Israel at the rate of about 20,000 a month, and over 1 million refugees are expected to emigrate over the next 5 years. That will be an increase of about 20 percent of the population.

We cannot turn our backs on these people when we encouraged and fought so hard for their freedom to emigrate. We had the Jackson-Vanik law. We had other conditions imposed on the Soviet Union that said unless you permit freedom of movement we are not going to do business with you, we are not going to trade with you.

The Congress ought to act to provide this assistance in the near term. I hope my colleagues will join in prompt approval of our loan guarantee legislation.

The legislation is very simple. It says that all costs associated with the procurement of these loans will be borne

by the Government of Israel, not by the citizens of the United States. There will be no cost to the taxpayers.

This is different than when we went to bat for \$7 billion forbearance of loans owed to America by Egypt. And thank goodness she joined with us in the Persian Gulf conflict. Egypt had no damage to property, did not lose a life in that war. They were a good friend and deserved our help and got \$15 billion worth of loan forgiveness from other countries. The American taxpayers shared in that with a \$7 billion forbearance.

That is not what is being asked here. Loans will be made by commercial banks and Israel, again, will cover any costs associated with any origination fees. Through war and peace, Israel's credit record has been 100 percent perfect; never defaulted on a loan; not a dime.

So I regret the President's announcement today and I hope that my colleagues will join me and continue to work for timely approval of assistance to the refugees and that my colleagues and I will be able to continue a dialog with the White House on this issue.

With that, Mr. President, I relinquish the floor. I thank my colleague from California who gave way so I could make this speech.

Mr. HARKIN. Mr. President, I wonder if the Senator will yield at this time?

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I was leaving the floor, but I wanted to listen to what the Senator from New Jersey had to say. I would like to associate myself with his remarks.

Mr. LAUTENBERG. I would appreciate that.

Mr. HARKIN. I want to be very supportive. Quite frankly, I do believe our whole foreign aid program needs to be looked at, revamped, and many changes need to be made. We have to start looking at what we can do in this country to help our own people. But the matter of Soviet Jews is one area in which we have a deep moral obligation.

I have thought about this.

What we have been telling the Soviet Jews for years, they have been on a ship, held prisoner on a ship in which they have been repressed, suppressed, tortured, imprisoned, and then we told them to jump off the ship. We are sitting down there with all the life boats. Well, the Soviet Jews have jumped off the ship and now we are pulling the life boats away and saying: "Now you have to swim for it."

Is that what kind of country we are? I do not believe so. I do not think that is what the American people meant to do when we said that we were going to help Soviet emigres, that we were going to help the Soviet Jews if they wanted to get out of the Soviet Union. No, we said we were going to support them.

Now the Bush administration says, "We are going to pull the life boats away from you. Swim out on your own out in the middle of the ocean." I do not think that is the right course for a powerful, big, and generous country like the United States of America.

Second, I do not think it is right to hold hostage these emigres who have had to endure so much suffering in the Soviet Union, who had to fight their way out, and who had to find their way to Israel after so much difficulty. We said we would not take more here in the United States, forcing all to go to Israel. And now we are saying we are not going to help them resettle. I do not understand that.

We are holding the Soviet Jews hostage to the power plays that are going on with our new friend, Hafiz Assad of Syria. Reminds me of another old friend, Saddam Hussein. Saddam Hussein was Bush's old friend. Now Hafiz Assad is the new friend of this administration and the Soviet emigres are being held as hostages to these big power plays. Again, I do not think that is a right and proper course for the United States of America. So I associate myself with comments of Senator LAUTENBERG. He is right on the mark.

However else one may feel about foreign aid—and I strongly believe we have to revamp it and look at how we can start helping our own people at home—this is one area in which our country has made a commitment in the past and we ought to stick by that commitment.

I thank the Senator.

Mr. LAUTENBERG. I thank the distinguished Senator from Iowa.

I ask unanimous consent that I have just 3 more minutes, as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Jersey is recognized for 3 minutes.

Mr. LAUTENBERG. I would like to add to a comment that the Senator from Iowa made. The fact is, as we examine our foreign policy we ought to remember who our friends are. We ought to remember that when we say to Israel there is a precondition to humanitarian aid, what we are doing is helping Israel's opponents become more intransigent.

We are not saying to the hostile Arab countries "Stop the embargo. Take a U.S. passport and treat it as a document, with the respect that it deserves." This says that you are a U.S. citizen and you can go anywhere you want, except in Saudi Arabia and Kuwait and a couple of countries there, where they will not take it if you visited Israel in the process.

What we are doing is aiding the rigidity and intransigence of the Arab position. We are saying Israel has to agree to preconditions, and not Arab countries. It is a mistake in terms of for-

eign policy. It is a mistake in terms of seeking peace. And it is a mistake in terms of developing America's interest in the area.

I yield the floor.

Mr. HARKIN. I want to add one point, and I know the Senator mentioned it, but I want to make that point again. That is that, unlike other foreign aid when we discuss these guarantees, we are not talking about a gift; we are not giving anything away. This is not a loan, as the Senator said, like the administration just forgave Egypt for \$7 billion of loans to their country, and other countries. It is not this at all. This is simply a guarantee that is going to have to be repaid, and that based on its track record, will be repaid by Israel.

Israel has repaid every loan and made good on every loan guarantee to date.

Mr. LAUTENBERG. Every cent.

Mr. HARKIN. When you have a good credit risk like Israel, and we add our moral obligation to Soviet emigres, then the course of this administration in blocking these guarantees is totally wrong, and I appreciate the Senator's remarks.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Rhode Island.

LOAN GUARANTEES FOR ISRAEL

Mr. CHAFEE. Mr. President, President Bush, as we know, has requested that Congress delay for 120 days Israel's request for \$10 billion in additional United States loan guarantees. The President is doing this in order that his most promising peace initiative be given a fair chance of succeeding. For the first time in history there appears to be a good chance that Israel and its Arab neighbors will be sitting down together at the peace table.

Nothing should be done now that might interfere with that prospect, President Bush said, and I totally agree with him. No individual has worked harder to bring about a peaceful resolution to the troubled Middle East than President George Bush.

In the past year—let us just think about this—in the past year, the United States, indeed the world, went to war to secure stability and peace in the Middle East. From our efforts in the Persian Gulf has come renewed dedication to finding a solution to over 40 years of Arab-Israeli discord. Now, when we are so close finally to getting the parties to sit down together to discuss their differences, is not the time to rock the boat.

I, for one, support the President's request to delay consideration of the Israeli loan guarantee request for 120 days. Furthermore, I am absolutely confident the American people also support the President, President Bush, in this effort.

I thank the Chair.

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1122

Mr. SEYMOUR. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment by the senior Senator from Mississippi will be set aside. The distinguished Senator from California sends an amendment to the desk, and the clerk will report.

The bill clerk read as follows:

The Senator from California [Mr. SEYMOUR] proposes an amendment numbered 1122.

Mr. SEYMOUR. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 29, line 21 before the period, insert the following: "Provided further, That within the funds made available under this heading the Secretary shall, after consultation with the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, allocate no less than \$60,000,000 will be spent for competitive demonstration projects serving pregnant and postpartum addicts and their infants".

Mr. SEYMOUR. Mr. President, I bring this amendment to the floor because there is no issue that tears at my heart more than that of parental substance and alcohol abuse and its effects on the soon to be born and newborn children. At this very minute, there are babies being born exposed to cocaine. Those babies, through no fault of their own, will face this harsh world of ours at a tremendous disadvantage, and not only will they suffer from withdrawal, mental retardation, and respiratory problems, but their ability to contribute to society later on in life will be adversely affected by these problems I just mentioned.

The most recent estimates, Mr. President, from the California Department of Alcohol and Drug Abuse indicate that approximately 72,000 births each year involve infants prenatally exposed to drug substances, including alcohol. Approximately 10 percent of all deliveries in this country are associated with illegal drug use and, Mr. President, that is a very conservative figure, because I am sure that there are countless drug-addicted mothers out there who do not bother seeking assistance.

This problem is not just a lower-class problem. It is not a minority problem. It is not just a middle-class problem. It is a national problem. As a matter of fact, it is more than a problem, Mr. President; it is a national epidemic, a national tragedy.

In 1985, there were 543 drug-exposed infants born in Los Angeles County. In 1986, a year later, this number increased to 915. In 1987, the number rose to 1,619. Mr. President, this represents, over a 3-year period, an almost 300-percent increase in the number of infants born exposed to drugs in Los Angeles County alone.

Additionally, the Los Angeles County coroner is reporting a number of fetal deaths associated with the ingestion of illegal chemicals. While the drug of choice among pregnant mothers is cocaine, other drugs, such as heroin, PCP, amphetamines, and alcohol have equal, and in some instances, more severe effects on the fetus.

As a matter of fact, heroin addicts are at extremely high risk of contracting the deadly HIV virus and passing it on to their fetus.

Studies have proved that the combination of absent prenatal care and drug abuse have resulted in a marked increase in the number of premature infants born throughout the country. Mr. President, it is for these reasons that I am requesting \$60 million to be exclusively devoted to demonstration programs for pregnant and postpartum addicts and their infants. In my State of California, there is presently a 3-month waiting period for outpatient drug-treatment programs, and an even longer waiting period for residential drug programs.

A large percentage of these women cannot remain drug free without the proper assistance and guidance offered by these programs. The programs that will benefit from my amendment are those that emphasize early identification, education, and intervention, and intervention during pregnancy must include the provision of both prenatal care and drug treatment designed to meet the special needs of these women.

Nationally, approximately 80 percent of pediatric AIDS patients acquire the disease prenatally. In Los Angeles County, that figure is 50 percent. Furthermore, the majority of prenatally acquired AIDS is associated with intravenous drug-abusing women, or women who are sexual partners with IV drug users. Due to the nature of this addiction, it is not possible to address the problems in this population with education alone. I really wish it were that easy.

Mr. President, I also wish to bring to your attention the cost effectiveness of these programs. At Harbor-UCLA Medical Center, a center which I visited, participants in the Obstetrical Substance-Abusing Mothers program [OSAM], delivered infants with fewer complications, lower mortality and morbidity rates, and lower overall hospital stays. A premature drug baby may require several months in a hospital at 3 times the cost; that roughly equates to \$250,000 of taxpayers' money

in the first 6 months of the life of this premature baby.

Mr. President, pregnancy and motherhood are strong motivating factors for women to become drug free. The programs operating under the Office of Substance Abuse Prevention aim to see this goal achieved. I wish I did not have to stand here today on the floor of the U.S. Senate and earmark these funds for these programs, because it is a problem that I wish did not exist.

As I said, I have personally visited pediatric units in private and community hospitals throughout California, and it deeply saddens me to see these helpless beings, newborn babies lying there helpless, struggling for air, their bodies craving that poison that afflicts them mercilessly. Mr. President, it is not their fault.

Mr. President, we can pass all the laws we want on combating drug abuse. Though what we really need to do is educate pregnant women who are abusing drugs; we need to provide them the support of prenatal care and drug treatment, and to free them from a drug-dependent lifestyle to one of a drug-free lifestyle. This way, we will give our children a fair chance at survival.

Mr. President, it is my understanding that my amendment has been accepted by both sides.

Mr. COCHRAN. Mr. President, the amendment of the distinguished Senator from California has been reviewed on this side of the aisle. We recommend that it be approved. It has been cleared.

Mr. HARKIN. Mr. President, I am a strong supporter of the Office of Substance Abuse prevention programs for pregnant and postpartum women and their infants. A couple years ago when I took over as chairman of the HHS subcommittee, the new program was funded at about \$4.5 million.

Since that time, this subcommittee, with help on both sides of the aisle including Senator COCHRAN, has increased that funding to over \$50 million in fiscal year 1991, and about \$60 million in fiscal year 1992. That is about \$5 million more than the President's request.

Senator SEYMOUR's amendment guarantees that OSAP will dedicate no less than \$60 million of its demonstration funds for pregnant and postpartum women and infants. This is consistent with the committee bill. I certainly support that goal, provided that funds do not come out of other important treatment programs, such as the high-risk youth demonstration.

That being the case, the amendment is acceptable to this side.

The PRESIDING OFFICER (Mr. LAUTENBERG). Do the Senators yield back time?

Mr. SEYMOUR. Yes, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1122) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HARKIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARKIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RETIREMENT OF WILLIAM H. GRAY III

Mr. HARKIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 177 now at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 177) to honor the accomplishments and express appreciation for a dedicated career in public service of the honorable William H. Gray III, on the occasion of his resignation.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the resolution.

The resolution (S. Res. 177) was agreed to.

The preamble was agreed to.

The resolution and its preamble are as follows:

S. RES. 177

Whereas, William H. Gray III was elected to serve in the United States House of Representatives in 1979 as the Representative of the people of the Second Congressional District in Pennsylvania.

Whereas, William H. Gray has served the people of his congressional district with enthusiasm, distinction and compassion.

Whereas, during his tenure in the House of Representatives, William H. Gray has served with noted excellence on congressional committees including the Committee on Appropriations, Committee on the District of Columbia and the Committee on House Administration.

Whereas, Mr. Gray's service as Chairman of the Committee on the Budget and as a majority whip was especially distinguished.

Whereas, Mr. Gray's legislative acumen and personal affability have rendered him greatly admired and well prepared by his colleagues in the House of Representatives and in other circles throughout the United States and abroad.

Whereas, William H. Gray's participation, presence and leadership will be missed in the Congress.

Resolved, That it is the sense of the Senate that the outstanding legislative and personal achievements of William H. Gray III should be duly recognized.

Mr. HARKIN. I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARKIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SEYMOUR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Before the Senator begins, we have a couple of matters that have to be dealt with. Pursuant to a previous order, the amendment on page 60, line 13 through line 7 on page 61, as amended, is agreed to.

The Senator from California is recognized.

Mr. SEYMOUR. Mr. President, the question I had, that amendment you just referred to, is that the amendment that I offered that dealt with pregnant and postpartum addicts and their infants?

The PRESIDING OFFICER. That amendment had to do with Pell grants.

AMENDMENT NO. 1122, AS MODIFIED

Mr. SEYMOUR. Mr. President, my first request would be, with reference to that amendment that I did offer 20 minutes ago having to do with pregnant postpartum addicts and their infants; there was one word we wanted to change, that is, "will" to "to", and that was agreed upon by both sides.

So in that specific amendment I am requesting that in the third to last line where we refer to no less than "\$60,000 will be spent," that be changed to "\$60,000 to be spent."

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

On page 29, line 21 before the period, insert the following: "Provided further, That within the funds made available under this heading the Secretary shall, after consultation with the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, allocate no less than \$60,000,000 to be spent for competitive demonstration projects serving pregnant and post-partum addicts and their infants".

Mr. SEYMOUR. Mr. President, the other reason I have risen was with the

original intention of offering an amendment having to deal with SLIAG funding. But the reality is there is nowhere near the support necessary to make it a viable amendment. Therefore, I would like to dispense with offering the amendment and merely request an opportunity to speak to the matter.

The PRESIDING OFFICER. Without objection, the time agreed to for the amendment will be available for debate purposes, that is, of course, without the amendment being offered.

Mr. SEYMOUR. Mr. President, the amendment that I was going to offer was quite simple. The intent of the amendment would make good on the Federal Government's, this body as well as the House of Representatives and the administration's promise, to reimburse States and local governments for their health care, education and public assistance costs under the Immigration Reform and Control Act of 1986 (IRCA) for the approximately 3 million persons who were granted amnesty under that act.

Under IRCA, the State Legalization Impact Assistance Grant program, commonly referred to as the SLIAG program, was enacted to reimburse State and local government costs of the amnesty program. The law provided for \$4 billion through fiscal year 1994 for this program. Accordingly, States, including my State of California, and communities moved forward to provide the essential services this new population of Americans would access. And they counted on the Federal Government, the promise of this body and the House of Representatives and the administration for reimbursement of the costs of those programs. After all, that was the deal, and that is the law.

Unfortunately, beginning in fiscal year 1990 and again in fiscal year 1991, the Congress slashed SLIAG funding, in effect saying to States and communities "Sorry, guys, the deal is off." Those of us who have served in local government, as I did for 8 years, and at the State level of government where I served for an additional 8 years, can attest to the true impact of a Federal policy that simply shifts the costs of that Federal responsibility onto the shoulders of local communities and States. Especially in the area of immigration and refugee policy where the Federal Government is backing out of its partnership with the States.

Mr. President, I am urging Members of this body to keep one thought in mind: States and local governments are powerless to protect themselves from the consequences of Federal immigration policy which is, by law, the sole responsibility of the Federal Government.

California is home to approximately 1.6 million amnesty recipients. Those amnesty recipients are almost as great

as the entire population of the State of Delaware times 3, 1.6 million.

In Los Angeles county alone more than 1 out of every 10 residents, 850,000 persons in this one county have applied for amnesty. Let us put this number in perspective. The number of persons in L.A. County who have applied for amnesty is 4 times the population of Des Moines, Iowa.

I do not mean to present this in any mean spirited way. The Senator from Iowa and his subcommittee worked very diligently to craft a balanced bill within the parameters of the budget agreement and their task has been a difficult one. I do not envy them at all in that regard. But I must say that as a result of the subcommittee's actions they have made the task of State and local governments even more difficult if not impossible.

The bottom line, Mr. President, what this action means to the State of California is a cost of over \$400 million. You know, State and local governments do not have the privilege we have here. They have to balance their budgets. They cannot throw their responsibilities onto others. That is why SLIAG funding is so important and essential to the fiscal sanity of the State of California, New York, and others who have counted on and budgeted based upon that promise of SLIAG funding. But today, once again, the Congress is deferring its responsibility, breaking its promise and breaking the backs of local governments in my State.

The law provided that \$1 billion would be appropriated for each of the fiscal years 1987 through 1991, for a total of \$4 billion, and it stated that any unexpended funds would remain available for the States through fiscal year 1994 at which time any unexpended funds would be returned to the Treasury.

This second component of the SLIAG agreement, the carryforward authority, expressly acknowledged the fact that as a reimbursement program, not all claims for services provided would be forthcoming in the first few years.

That is where California and other similarly situated States find themselves today. We are now in the out-years of the program, but we have not seen claims for bona fide services disappear. In fact, they are increasing just as IRCA's legislative history anticipated.

The demand for SLIAG-related services are there. Under the law, they must be provided, and—also under law—they should be reimbursed through SLIAG. That is what the States and local governments expect, that is the deal they agreed to back in 1985 and 1986 when IRCA was debated and enacted and the promises were made.

Unfortunately, the Federal Government and the Congress see it dif-

ferently; the Federal Government wants to back out of the deal and wash its hands of the entire matter.

The States were hesitant in the first place to embrace any amnesty program that did not protect them from the spiraling costs associated with this new population, 1.6 million people in my State.

I was serving in the California State Senate at the time, and I can recall vividly the internal debate that took place in our house in the State legislature. We saw the merits of providing amnesty. On the other hand, we feared the fiscal impact of such a policy. I know there must have been similar debates in other States.

Now, California, Texas, New York, Florida, Colorado, and other States are finding that support for SLIAG has ended. It may be true that California is being shortchanged \$400 million this year alone and the other States I mentioned may not be affected until next year. We are being hit with this devastation this year, and I can promise you that perhaps there will be the political will next year when other States are impacted the way my State is being impacted.

But, unfortunately, that impact will not occur until next year so I am left here standing alone.

All those States expect and all my State of California expects is for the Federal Government to pick up its end of the deal so that these same hospitals and clinics and school districts can assure a full level of service to entire communities. In Los Angeles County alone, SLIAG cuts in this bill will force a major reduction in county health services, including major reductions in outpatient clinics and medical and surgical beds.

The ultimate impact of the SLIAG cuts in Los Angeles County will be that the health status of indigent clientele served by the county will greatly worsen, and more people will die needlessly.

California's budget deficit is well known to all in this Chamber. Governor Wilson informs that cutting SLIAG funds will only worsen California's budget woes. Moreover, the impact to communities statewide will be enormous. For instance, consider the fact that:

Pregnant women will not receive prenatal care, health education, nutrition, and child health services so critical to our next generation of Americans and Americans yet unborn.

Pediatric encounters will not be provided, reducing the number of vaccinations, nutritional checks and physical examinations necessary to prevent future health problems for children.

Many elderly patients will be deprived of basic medical care, so chronic and acute diseases like cancer, osteoporosis and other syndromes associated with old age will not be detected at an early and very possibly treatable or manageable stage.

Many outpatient mental health treatment clinics will be closed. Thus, mental health treatment will only be provided to "the most seriously ill," resulting in a high incidence of expensive, 24-hour care.

Probably even more important in the long term, the number of adult literacy classes available in California will dramatically decrease, leaving hundreds of thousands of students—yes, persons that were given amnesty who will become citizens of our State of California and this Nation—without the ability to speak English.

Mr. President, what is going to occur in the future in my State is these hundreds of thousands of amnesty recipients will become citizens in future years, but because of their inability to communicate in English, they will be unable to find a job. They will be on our welfare rolls, which will increase our costs. They do not want that. We do not want that.

But you cannot expect us to do it all alone. You cannot just take \$400 million away from us this year and expect us to provide education and literacy to this population.

Back in the medical area, I find this fact astounding, over 20 percent of all hospital admissions in Los Angeles County are illegal aliens—now legal under amnesty. Mr. President, consider the fact that one out of every 200 babies born in this country is born to an amnesty applicant in one Los Angeles County hospital.

Let us be clear: Cutting SLIAG funds, and eliminating them, total elimination, does not cause the demand for services or the related costs to disappear for those services that were mandated by the Federal Government when IRCA was approved. All it does is shift the burden—unfairly and inappropriately—to a few State and local governments.

When hospitals cannot be reimbursed, when people cannot receive the basic language training they need—and I mean basic; I am talking about 40 hours to learn the English language—I defy any one of us to try to learn a foreign language in 40 hours. So we are not asking much. Forty hours. They are going to be deprived of that—and when outlays for public assistance programs go unreimbursed, it is not a simple case of a legalized alien not receiving a service. There is a ripple effect and everybody in the community must pay.

If we are to cut these funds, then we must be prepared to acknowledge the fact that we are creating an underclass of citizens who will not have the tools to fully participate and benefit in our society.

Now, while rhetorical, the points that I have raised are very real questions that we must confront and for which we will be held accountable should we not fulfill the Federal Govern-

ment's promise under IRCA. I am not sure, Mr. President, that any Member in this Chamber would like to take credit for that kind of disaster.

Cutting SLIAG gives the Federal Government just one more opportunity to foist yet another fiscal burden on to the shoulders of State and local governments. And that is the bottom line, of which no one can be proud.

What I was going to try to do with this amendment that I found little or no support for was rather simple. I thought it was a logical and altogether fair approach, because the amendment would have called simply for a three-quarters of 1 percent—less than 1 percent—three-quarters of 1 percent reduction across the board in programs in the bill before us and diverts those funds—\$45 million—to SLIAG.

But three-quarters of 1 percent obviously was too much to ask. So I will be back again next year, Mr. President, when more States are then impacted like California. When that happens, there is going to be a greater outcry than just this one voice. And with that outcry will come the votes necessary, I am hopeful, of keeping the promise that was made in funding this program.

I yield back my time, Mr. President.

Mr. COCHRAN. Mr. President, let me simply respond by first congratulating the Senator from California for bringing this problem to the attention of the Senate. And it is a serious problem in the State of California and a couple of other States as well, where the projected drawdown of funds under this grant program that was designed to help alleviate the fiscal problems associated with amnesty for illegal aliens is resulting in some exceedingly serious financial burdens to those States.

Some States have not used all the funds that were earmarked and available for them and, because of that, the committee approved language that is included in its report directing "the department to submit to the Congress"—and I am reading from the committee record now—"submit to the Congress within 120 days a report outlining the extent of the fiscal year 1992 shortfall and options for mitigating program disruption in shortfall States, taking into consideration the needs of States with currency surpluses."

The point is that this is a program that has resulted in a lot of additional costs for health care, for education, and other expenses that the distinguished Senator from California so correctly points out.

The administration requested a rescission of the unused funds in this program, \$1 billion. The committee did not go along with that. We recommend in this bill that that amount simply be deferred to the end of the fiscal year and that the additional funds, if there are any available, be made available within 15 days of the beginning of the next fiscal year. So that is the commit-

ment that is made in this bill to the States like California.

I do not know whether that is going to solve the problem or address the concerns that the Senator has raised here. But it is important that HHS take a look at this, that OMB and the administration seek to work this out, because it is a serious problem. I sympathize with the situation that California finds itself in and hope that there is some way we can resolve it to the satisfaction of the Senator before the next fiscal year comes around.

Mr. BUMPERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ADAMS). Without objection, it is so ordered.

AMENDMENT NO. 1116

Mr. BUMPERS. Mr. President, I will be very brief. I just want to comment on the Cochran amendment, of which I am a cosponsor, and say I hope that amendment could be accepted here without a vote. Not that I have any hesitancy about a vote, nor do I have any doubt about the outcome of a vote.

But for purposes of the RECORD, I have checked with a number of people and this has nothing to do with home industries or anything that is going to cause one single person in any industry to lose a job. It is a very common practice, as I understand it. It is a very common practice for fabric shops that have patterns, Simplicity patterns or other patterns, to allow employees in those shops to make clothes at home according to a particular pattern. Maybe it is something they are pushing.

They use the clothes that are made by the employees in that shop maybe in a display window or in displays inside the fabric shop. And after they have received all the economic benefit they can get out of that sort of advertising of those clothes, they give those clothes to the employee who made them.

Frankly, I do not know why anybody—and I do not think anybody does, very much—could object to this. As a matter of fact, it seems to me it is the sort of thing that ought to be promoted.

No. 1, it is an incentive for an employee to do something at home, maybe make clothes for a teen-aged child who is in school, help supplement their income because they know they are going to be able to pass that piece of clothing on to a child. I do not know why anybody would object to that.

So I must confess, I did not know this was a fairly common practice in the United States until Senator COCHRAN

offered this amendment. I remember in a staff conference in my office when this first came up and I asked for an explanation of it, I thought there must be something hidden and not visible. Because it seemed so palpably clear that it was a good idea, there must be some hidden agenda here.

On further investigation, I find there is absolutely nothing hidden; it is a front-on amendment. It makes eminently good sense, and I hope we can accept it, even without a rollcall vote. I think it would be unanimously approved here.

Mr. COCHRAN. Let me thank the distinguished Senator from Arkansas for his comments. I am encouraged, in the negotiations that are underway to resolve this issue, that we may be able to resolve it and accept the amendment with a modification on a voice vote. That is my hope. That is what we are working toward right now.

It seems pretty clear to me that both sides are recognizing this is an issue that does need to be resolved, and this is an appropriate way to resolve it, on this appropriations bill. So in hopes we can complete those negotiations and get the final language set out in a modification, I am happy to pass on that information to the Senate.

This leaves us, Mr. President, with all of the amendments that were listed on the order the majority leader advanced earlier in the day completed, with the exception of the Cochran amendment that is pending, and the Ford amendment. So we, I think, have accomplished quite a bit today.

When the distinguished Senator who is in the chair offered his amendment, that started the ball rolling. The Adams amendment was agreed to, and others began to be considered and agreed to by the Senate.

It seems we are nearing completion of action on this bill. For my part, I want to thank Senators on this side for cooperating with the managers of the bill.

AMENDMENT NO. 1116 TO ACCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 9, LINE 10, AS MODIFIED

Mr. COCHRAN. Mr. President, we have worked on some additional language in an effort to modify the Cochran amendment so it will be acceptable and the Senate can vote in favor of it on a voice vote, maybe. In that connection, I send a modification of my amendment to the desk.

The PRESIDING OFFICER. The Chair will order that the modified amendment is in order, and the Senator may proceed with his amendment. The amendment, as modified, is as follows.

On page 9, line 10, strike out "\$231,326,000," and insert in lieu thereof the following: "\$231,326,000, none of which shall be expended by the Secretary of Labor to implement or enforce model garment regulations or model garment enforcement policy promulgated under the Fair Labor Standards Act of 1938

(29 U.S.C. 201 et seq.) Provided, That the model garment program comply with the following:

- (1) The employee's work is voluntary.
- (2) The patterns, fabrics, and notions are provided by the employers at no cost to the employees.
- (3) The employees retain ownership of the model garments after the display period.
- (4) The model garments are in fabrics, styles and sizes determined by the employees to be appropriate for the employees' use.

Mr. COCHRAN. Mr. President, what we are seeking to do with the modification of the amendment is to spell out the specific parts of the regulations that the Senate is approving as appropriate, as an exemption from the Fair Labor Standards Act.

The PRESIDING OFFICER. The Chair was just being certain that the Senator had the right to modify the amendment, and it would be considered in its modified form, and has so ordered that.

So the modified amendment is the one that is now pending.

Mr. COCHRAN. I thank the Chair.

The Senator from Mississippi is attempting to explain what the modification is so that Senators will know what they are voting on.

We sent a modification to the desk for the benefit of Senators to spell out specifically the parts of the regulation issued by the Department of Labor that will qualify a model garment program as exempt from the provisions of the Fair Labor Standards Act.

We appreciate the counsel and advice and suggestions from other Senators and members of their staff in crafting this modification so it could be accepted.

I do not know of any other Senators on this side who are seeking to debate the issue. We are willing to have the amendment agreed upon on a voice vote.

Mr. BUMPERS. Mr. President, parliamentary inquiry. The modification is now a part of the Cochran amendment; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. BUMPERS. Mr. President, we are prepared to vote on the Cochran amendment.

The PRESIDING OFFICER. There is time remaining on the amendment. Do both Senators yield back the remainder of time they have?

Mr. COCHRAN. I yield back all the time remaining on the amendment allocated to this Senator.

Mr. BUMPERS. I yield back such time remaining on this side.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Mississippi, as modified.

The amendment (No. 1116), as modified, was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 9, line 10, as amended.

The committee amendment on page 9, line 10, as amended, was agreed to.

Mr. BUMPERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the vote on the motion to table the Helms amendment occur at 6:30 p.m.; that the time between now and then be equally divided and controlled in the usual form for further debate on the Helms amendment; that upon the disposition of the Helms amendment, the Senate proceed without any intervening action or debate to third reading and to vote on final passage on the pending bill; and that it now be in order for me to ask for the yeas and nays on the vote on final passage.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none and it is so ordered.

Mr. MITCHELL. Mr. President, I now request the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. MITCHELL. Mr. President, Senators should therefore now be aware that there will be two rollcall votes beginning at 6:30 p.m.; one on the motion to table the Helms amendment, then following disposition of the Helms amendment a vote on final passage of the bill. Immediately thereafter, the Senate will proceed to consideration of the Interior Department appropriations bill, and I will have a further statement to make with respect to the schedule at that time.

I thank my colleagues.

I suggest the absence of a quorum.

Mr. FORD. Will the majority leader withhold.

Mr. MITCHELL. I withhold my request.

Mr. FORD. Mr. President, one of the amendments that was not included in the unanimous consent was an amendment that I wanted to bring up this evening on this piece of legislation as it related to Medicaid and the new regulations that have been promulgated by HCFA that will go into effect on January 1, which would cause a great deal of hardship as it relates to Medicaid payments within many of our States. Two hundred seventy thousand

underprivileged and those in poverty in my State receive help as it relates to health care.

Under the legislation that we passed, that OMB has now set some figures on, it came out of Congress with CBO figures, but once it becomes law the OMB figures are used. They are now increasing—from \$500 million to \$1.5 billion, now \$2 billion it is going to cost the Treasury. And, of course, if it is scored that way, it would mean we would have to have a sequester, and none of us want that at the end of the fiscal year.

There will be a colloquy between the distinguished senior Senator from Texas, the chairman of the Finance Committee, and myself that will accompany this piece of legislation and it will be offered, hopefully, before final passage of the legislation.

Some of my colleagues have been interested in moving forward with this amendment. I think it has a sufficient number of votes to pass, probably pass overwhelmingly. But under the circumstances with the scoring that OMB now said they will use, it means a sequester on all domestic programs, and I do not think any of us want to be placed in that position. It is another way to eliminate help for the underprivileged and those in poverty by the administration.

I regret it very much and look forward to the colloquy and maybe a stand-alone piece of legislation that we could pass out of the Senate and send a message before we leave for the year.

Mr. President, I suggest the absence of a quorum.

Mr. HELMS. Mr. President, will the Senator withhold?

The PRESIDING OFFICER. Will the Senator withhold?

Mr. FORD. Yes.

Mr. HELMS. I thank the Senator.

AMENDMENT NO. 1114, AS MODIFIED

Mr. HELMS. Mr. President, may I inquire of the situation. I have been in an Ethics Committee meeting.

The PRESIDING OFFICER. The parliamentary situation is there is a motion to table the Helms amendment that is to be voted on at 6:30. Between this time and 6:30 the floor is open to the Senator from North Carolina. Thereafter, there is a vote on final passage.

Mr. HELMS. I thank the Chair. Does that mean that I have 5 minutes or 4 minutes?

Mr. MOYNIHAN. May I share one of those?

Mr. HELMS. Certainly.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. If I might respond, the agreement provided that the time would be equally divided on the two sides, whatever time remains.

Mr. HELMS. I see.

Mr. MITCHELL. The Senator would be entitled to half the remaining time and Senator MOYNIHAN the other half.

The PRESIDING OFFICER. At this point Senator HELMS has 2 minutes, 30 seconds, and the opposition has 2 minutes, 30 seconds.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I have moved to table the resolution of my friend—

Mr. HELMS. I did not realize that. I thought the Senator was going to speak. I hope he will withhold. In any event, I do not think it would be in order for him to so move until time has expired.

The PRESIDING OFFICER. Under the unanimous consent agreement, time is to be divided equally between the Senator from North Carolina and the Senator from New York. The Senator from New York is to be recognized for 2½ minutes. The Senator from North Carolina is to be recognized for 2½ minutes. Then there will be a vote on the motion to table.

Mr. HELMS. I see. I thank the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, as I said, I have moved to table this amendment for the simple reason that the issue before us is a survey of reproductive, procreative patterns in men and in women, adult, of course, at this time. It is to be carried out by the National Opinion Research Center at the University of Chicago by distinguished social scientists, people who work with the National Research Service, Professor Gagnon, for example, of the State University of New York.

The issues are pressing. The area is one of surprisingly sparse knowledge. We need to know more about how, when, why children are born, why the processes proceed, and particularly we need to know more about the large, growing number of out-of-wedlock births in our country. They are now at 26 percent of all live births, 5 times the rate of 1960.

In one generation we have seen this extraordinary increase. In some cities, Baltimore, for example, the rates approach three-quarters, in some groups three-quarters, in Senator HELMS' State, 26 percent of births, which is the average for the Nation, in my State 30 percent, varying among our States, varying in the world. Japan has 1 percent.

This is something we need to know more about, learn in a dispassionate, scientific survey. That is what will go forward and that is why we hope in the bill, the managers will be allowed their wish and the administrations' wish that the National Institute of Child Development will be able to do this work.

Mr. President, I thank the Chair and I thank the Senate.

The PRESIDING OFFICER (Mr. GLENN). The Senator's time has expired. The Senator from North Carolina is recognized for 2½ minutes.

Mr. HELMS. Mr. President, I do not question the statistics. I think they are correct as given by Senator MOYNIHAN. The point is that the present policy of this Government is to encourage young people to think that sex before marriage is OK just so long as it is "safe sex."

However, the Federal Government has one, just one, small program—title XX—that promotes delaying sex until marriage and it is that one small program, which is not funded in the underlying bill.

Mr. President, for those Senators, if any, who may think that the sex surveys which we discussed in detail earlier are not all that bad, I am going to send down to the Republican desk several copies of some of the questions. I ask that they be available for Senators on both sides of the aisle to read what the American taxpayers are being required to finance over the will and judgment of Secretary Sullivan.

I am not going to read any of the questions because I do not want to be responsible for putting such language in the CONGRESSIONAL RECORD. But I say again, any Senator who strongly supports these studies should be willing to at least take a look at what we are talking about so that the public can see what they are being required to pay for.

The bottom line is that under the present system we are encouraging teenagers, whether we intend it or not, to engage in sex just so long as it is "safe sex." On the other hand, the only Federal program, the only activity in the Federal Government, that pleads with young people to abstain from sexual activity until they are married is title XX—and the pending bill does not fund it.

I think the Federal Government ought to fund title XX and that is the purpose of the pending amendment.

Mr. KOHL. Mr. President, this amendment creates for me a difficult choice. It is unfortunate that the limitations of the budget forces us to choose between two worthwhile measures.

The Adolescent Family Life Program is a valuable addition to the compliment of sex education and pregnancy prevention programs funded by the Government. I think the outreach to adolescent males this program has provided is especially important.

However, I strongly disagree with the Senator from North Carolina's characterization of the studies sponsored by the National Institute of Child and Human Development. His characterization of these surveys is wrong, misleading, and malicious.

I am surprised that the Senator is so out of touch with his own constituency at the University of North Carolina at Chapel Hill that he is quoting questions that were deleted from the survey 2 years ago. Considerable effort has al-

ready been spent to develop the questions in these surveys, and that development is continuing at the University of North Carolina and the University of Chicago.

The surveys the Senator attacks have been endorsed by the American Medical Association, the American Public Health Association, the American Psychological Association, the American Sociological Association, and 30 other national health and scientific organizations.

The surveys the Senator calls unscientific have been reviewed by some of the finest minds in the United States. I suggest that those scientists are better able to judge the scientific merit of these surveys than is the U.S. Senate.

We look back at the days of the Scopes monkey trial with embarrassment. And yet we are moving dangerously close to the same intellectual climate where unpopular ideas are shouted down or made illegal.

As I said at the outset, the Adolescent Family Life Program is a valuable program and deserves funding. It can stand on its own merit. We do not need to cloud the issue with misinformation about valuable and much needed research. If we must choose which of these programs to fund let us do so on the merits.

On one hand we have a set of surveys that are needed to guide policy formation for the prevention of adolescent pregnancy and the spread of sexually transmitted diseases. We are now making policy using data that is 40 years old.

On the other hand we have a program that will add a unique and valuable dimension to the programs of Federal sex education.

I understand that this amendment is expected to pass overwhelmingly. I urge my colleagues to work in the conference committee to see that both the AFLP and the NICHD surveys are funded.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired. Under the previous order we move directly to the vote on the motion to table.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 34, nays 66, as follows:

[Rollcall Vote No. 188 Leg.]

YEAS—34

Adams	Dodd	Lieberman
Akaka	Glenn	Metzenbaum
Bentsen	Gore	Mikulski
Bingaman	Harkin	Mitchell
Bradley	Inouye	Moynihan
Burdick	Kennedy	Nunn
Chafee	Kerry	Pell
Cohen	Lautenberg	Riegle
Cranston	Leahy	
DeConcini	Levin	

Sanford
Sarbanes

Simon
Wellstone

Wirth
Wofford

NAYS—66

Baucus
Biden
Bond
Boren
Breaux
Brown
Bryan
Bumpers
Burns
Byrd
Coats
Cochran
Conrad
Craig
D'Amato
Danforth
Daschle
Dixon
Dole
Domenici
Durenberger
Exon

Ford
Fowler
Garn
Gorton
Graham
Gramm
Grassley
Hatch
Hatfield
Heflin
Helms
Hollings
Jeffords
Johnston
Kassebaum
Kasten
Kerrey
Kohl
Lott
Lugar
Mack
McCain

McConnell
Murkowski
Nickles
Packwood
Pressler
Pryor
Reid
Robb
Rockefeller
Roth
Rudman
Sasser
Seymour
Shelby
Simpson
Smith
Specter
Stevens
Symms
Thurmond
Wallop
Warner

So, the motion to lay on the table the amendment (No. 1114), as modified, was rejected.

Mr. HELMS. Mr. President, I move to reconsider the vote.

Mr. GRAMM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina.

The amendment (No. 1114), as modified, was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote.

Mr. GRAMM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

COMMITTEE AMENDMENT ON PAGE 25, LINES 5 THROUGH 8, AS AMENDED

The PRESIDING OFFICER. The committee amendment on page 25, lines 5 through 8, as amended, is agreed to.

HEALTH RESOURCES AND SERVICES

Mr. BENTSEN. Mr. President, I would like to engage my distinguished colleague, the senior Senator from Hawaii [Mr. INOUE], in a colloquy regarding a provision in the pending bill (H.R. 2707). Specifically, my concern relates to title II, making appropriations for Health Resources and Services.

I understand that the provision appropriates funding for the creation of an Office of Adolescent Health within the Department of Health and Human Services. The appropriations bill for that Department specifies that \$2 million should be used to establish this office. Would the distinguished Senator please clarify the proposal further? I am particularly interested in hearing more about the source of funding, and whether the Senator contemplates permanent funding of this program. More specifically, would the Maternal and Child Health Block Grant [MCH] Program, authorized by title V of the Social Security Act, be the source of the funding? And is the \$2 million seed money intended to initiate the effort

only, or is the use of title V funds in the nature of a long-term commitment?

Mr. INOUE. I would be pleased to answer my colleague's questions. The source of the funding for an Office of Adolescent Health would be the Federal portion of the title V program used for conducting Special Projects of Regional and National Significance ("SPRANS"). I view the \$2 million as seed money to assist the Department in developing a plan for a Federal role in addressing the needs of adolescents.

Mr. BENTSEN. I thank the Senator. I also would appreciate further clarification about the provision in the appropriations bill.

It is my understanding that the intent of the provision is to make funds available for an Office of Adolescent Health in anticipation of authorizing legislation. Is my understanding correct?

Mr. INOUE. The Senator's understanding is correct.

Mr. BENTSEN. Since the source of the funds to create the Office of Adolescent Health is the SPRANS portion of the MCH Program, and since the MCH Program is within the jurisdiction of the Committee on Finance, I would be interested in knowing whether the Senator contemplates asking the Committee on Finance to authorize the new program.

Mr. INOUE. Certainly, I would be pleased if the Committee on Finance would consider authorizing an Office of Adolescent Health under title V of the Social Security Act. I would like to point out, however, that I am not necessarily seeking the creation of such an office, per se. The appropriations provision is intended to catalyze the Department of Health and Human Services to focus on the topic of adolescent health, and to develop a coordinated, systematic effort in this area. It is not essential to this end that a new bureaucratic entity be created at this time.

Mr. BENTSEN. I thank the Senator for clarifying that. Is it correct to assume that the Senator expects that the Department's efforts in this area be directed by the Maternal and Child Health Bureau within the Health Resources and Services Administration? I believe it is especially important to clarify this point in light of current reorganization efforts within the Department of Health and Human Services.

Mr. INOUE. I agree with my colleague and can affirm his assumption that I expect the Maternal and Child Health Bureau to oversee the Department's efforts to develop a systematic approach to addressing the health care needs of adolescents. And, if an Office of Adolescent Health is established, I would expect that office to be created and administered under the auspices of the bureau.

Mr. BENTSEN. I appreciate my colleague's assistance in clarifying this

provision and I commend his efforts to get the Department to develop a systematic approach to adolescent health. I, too, am interested in the special health care needs of adolescents, and would be pleased to consider authorizing an Office of Adolescent Health within the Maternal and Child Health Bureau.

My colleague from Hawaii has long been a leader in attempting to improve the delivery of health care. And as one of the principal requestors of a study on adolescent health by the Office of Technology Assessment [OTA], he has already demonstrated his concern for adolescents. I joined him in requesting this important work. Unfortunately, the OTA study indicated that many of our Nation's teenagers suffer serious health care problems—such as chronic physical illness or substance abuse—that too often go unattended. To help ensure that older children and adolescents have access to the care they need, I authored a provision that was included in last year's budget act which expands the Medicaid Program to cover all children under age 19 with incomes below the Federal poverty level on a phased-in basis, so that all teenagers will be eligible for Medicaid by the year 2002.

Thus, I agree with my colleague that it would be reasonable to consider the creation of an Office on Adolescent Health which can guide Federal policy on the provision of health care to adolescents. Given the Maternal and Child Health Bureau's expertise in addressing the health care needs of special populations, it is entirely appropriate to consider creating and administering such a program under the auspices of the Maternal and Child Health Bureau.

AMENDMENT NO. 1084

Mr. SIMON. Mr. President, on June 3, 1991, 11 Senate Appropriation Committee members wrote to the Senate Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies requesting \$1.67 billion in fiscal year 1992, for the Low-Income Housing Energy Assistance Program [LIHEAP]. This modest and necessary increase would allow the program to keep pace with inflation.

On June 28, 1991, I joined 51 of my colleagues in writing to the Appropriations Subcommittee supporting the position of our 11 colleagues. We urged the subcommittee to allow LIHEAP enough funding to keep current services.

We will have to make some tough decisions this month. However, what good are we doing if we are only robbing Peter to pay Paul? There are many effective and beneficial programs fighting for the same limited Federal dollar, but we cannot turn our backs on children and elderly who have chronic health problems because their home doesn't have heat or whose family

must choose between eating and paying the utility bills. LIHEAP is often what keeps families from being tossed out to the streets and becoming homeless.

LIHEAP provides needed heating and cooling assistance to our Nation's increasing poor. Nationwide, about 60 percent of LIHEAP households have annual incomes under \$6,000. For my State of Illinois, a staggering 82.1 percent of households receiving LIHEAP had annual incomes of under \$6,000. For these households a high percentage of their incomes is spent on paying utilities. In Illinois, roughly one-third of LIHEAP households spend more than 12 percent of their incomes on winter home energy bills.

LIHEAP only serves a fraction of eligible households. Approximately 17.4 to 25.2 million households across the country are eligible for LIHEAP assistance; however, only about 5.8 million households are served nationwide. The recession has created an additional 2 million eligible households. In Illinois, only 143,564 households were served in 1990. Many of our country's elderly and disabled individuals are LIHEAP beneficiaries. In Illinois, elderly persons live in 21 percent of the LIHEAP households, and disabled individuals live in 13.6 percent.

The recession hit many individuals and families hard. Cuts in both State and Federal funding of energy assistance programs like LIHEAP compounds the problems that these Americans face. The impact of these cuts on Illinois means that 56,481 households will lose heating assistance. Furthermore, another estimated 9,000 households will lose crisis assistance and weatherization services. In other words, it would be as if we turned off all the heat and the electricity to every house in the second largest city in my home State, Rockford, Illinois, during the dead of winter.

Mr. President, sometimes we get so consumed by the numbers that we forget just what they mean in real terms. To give a face to the numbers, I want to tell you about Ms. Anna Finkley, who bravely told her story to Mrs. Lillian Drummond of the South Austin Coalition Community Council in Chicago, IL.

Anna Finkley's story is typical of a LIHEAP participant. Anna, age 54, lives in Chicago's westside with her mother, age 71. She receives \$165 a month in general assistance and \$102 a month in food stamps. Her mother receives \$407 in Social Security benefits. In order for Anna and her mother to avoid disconnection of their electricity and gas, they must come up with about \$1,500. This is an insurmountable figure. Anna was recently notified that she would no longer be eligible to receive general assistance or food stamps.

In addition to basic expenses, Anna faces growing medical bills due to

health problems and the costs of caring for her elderly mother. Anna has a history of heart disease, relies on oxygen therapy because of an asthma condition, suffers from arthritis, and is undergoing radiation treatment for cancer. In addition to her health problems, Anna is responsible for the care of her elderly mother who has suffered from a heart attack. Anna had applied for SSI, but was denied because the Social Security Administration believed she was able to work. This summer, Anna's outpatient care will no longer be covered by the State.

Needless to say, Anna Finkley and her mother are facing difficult and desperate times. The Finkley's did receive energy assistance last winter, but because of State and Federal cuts, it is unlikely that Anna will receive benefits this winter. Recently, because of the loss of other assistance and mounting medical problems, Anna was forced to choose between paying the utilities, the rent, or eating. This is a choice no one should be forced to make. Anna and her mother have been notified that the electricity and the gas will soon be shut off. All they can hope for is a mild Chicago winter and a miracle.

Because of State and Federal budget cuts, no assistance will be available for the millions of families like Anna's. Like others faced with a similar situation, Anna may be forced to build extremely dangerous fires in her bath tub to keep warm or bring choking charcoal grills into the house to cook their food. Many who have foolishly done this have lost everything to fires and some have died. But the choice is either to chance the high probability of death by fire or face certain death from the cold.

Finally, Mr. President, I would like to commend Mrs. Finkley for sharing her story. Many of those who face similar hardship are too embarrassed and proud to come forward. Still others are so busy just trying to survive, they haven't the time or the energy. The population that this program serves does not have the expertise or the big expense accounts necessary to lobby Congress. Often, they are overlooked. I urge you today to not forget them, and to do what's right—support the Harkin amendment, and if that fails then support the Harkin-Wirth-Rudman amendment.

AMENDMENT NO. 1084

Mr. DIXON. Mr. President, I would like to take this opportunity today to highlight a program which I believe is in dire need of adequate funding—a program for the poor, the elderly, and the disabled.

The Low-Income Home Energy Assistance Program [LIHEAP] was designed to assist the 17 to 23 million disadvantaged households in dealing with skyrocketing home energy prices. Unfortunately, since its inception in 1980, LIHEAP has routinely been under-

funded. Even during its peak funding year, the program was only able to reach a mere one-third of the needy families across the country that so desperately need our help.

Funding for the program has steadily declined in recent years, with a total cut of approximately \$2.8 billion from 1987 to 1992. What that means is, that since 1987, 1 million households have been cut from the LIHEAP program and are no longer able to receive the assistance that they need to ensure that they can pay their winter heating bills, or other equally critical home energy needs. This means that we have cut off 3 million men, women, and children who need our help. This is why the LIHEAP program needs to be adequately funded.

The steady decline in funding has created a huge pool of disadvantaged families which are all competing for the same scarce funds. Eligibility requirements for this program have become very strict. The annual income cutoff in order to receive benefits in my home State of Illinois is set at a mere \$15,875 per year. The typical household eligible for assistance, however, has an annual income of only \$6,000 or less; over 80 percent of the recipients in Illinois fit this description.

But even if a family meets the strict eligibility requirements for benefits, the LIHEAP program can only afford to cover a small portion of a recipient's total energy bills. These households with poor, elderly, or disabled occupants may still have to pay nearly 75 percent of their home energy bills on their own, which can add up to almost a quarter of their total income. In comparison, the average U.S. household spends only 3 percent of its income on home energy. As a result, too often these disadvantaged families must choose between heat and the other basic necessities of daily life, such as clothing for their children or food for the dinner table.

States and local governments have worked hard to try to ensure that the poor and disadvantaged do not have to face such a terrible choice. In Illinois, for example, an effective program called REAPP—the Residential Energy Assistance Partnership Program—has been established to coordinate State and Federal funds to pay energy bills for thousands of disadvantaged Illinois households. Private industry has helped to create and finance weatherization projects and utility fuel funds. And a LIHEAP coalition has been formed in Illinois, comprised of advocacy groups for children and the elderly, labor unions, church and public interest groups, as well as the utilities.

Neither State and local governments, nor the private sector, however, can solve the problem alone. The Federal Government must shoulder its fair share of this responsibility as well. LIHEAP simply must be more ade-

quately funded so that the poor, the elderly and the disabled will not have to choose between food to eat or heat for their homes.

Thank you, Mr. President.

AMENDMENT NO. 1084

Mr. DODD. Mr. President, as we debate the Labor-HHS Appropriations legislation, I want to call attention to a program vital to many low-income families, especially as we approach the winter months—the Low-Income Home Energy Assistance Program. The bill as reported by the Appropriations Committee would have cut the basic LIHEAP funding by \$300 million. The Harkin-Wirth amendment restored \$200 million of those funds. It is based on an amendment, which I cosponsored, originally proposed by Senator RUDMAN. I would have liked to have seen an actual increase in regular funding for a program so important to many Connecticut citizens. All of us, however, understand the difficult task the Subcommittee on Labor, HHS, and Education faced in trying to meet ever-growing needs with a shrinking pot of money. I greatly appreciate Senator HARKIN's vigorous efforts to increase LIHEAP funding over the level approved by the House and his willingness to work with us to find a way to do even more for the needy households that depend on this vital program.

Each year, LIHEAP is literally a lifeline for millions of the most disadvantaged people in this country. It protects very vulnerable families from freezing during the cold winter months and from exposure to dangerous heat in the summer. Substantial cuts in LIHEAP funding, as the committee originally recommended, would jeopardize this lifeline and the health and safety of the families who need it.

The Harkin-Wirth amendment brings total LIHEAP funding to \$1.5 billion. An additional \$300 million is contained in an emergency fund that may be released only if the President makes a formal request to Congress. The amendment also increases the funds available for obligation beginning on October 1 of this year by \$239 million. The bottom line is that more money will be available to the program overall and more will be available immediately to help needy families through the coming winter months.

Last year, as chairman of the Subcommittee on Children, Family, Drugs, and Alcoholism, which oversees LIHEAP, I sponsored the Human Services Reauthorization Act of 1990 to extend LIHEAP's authorization. I can assure my colleagues that when we talk about LIHEAP, we are talking not about a luxury item, but about a basic necessity of life. All too often, the very poor must make a choice between putting food on the table and heating their homes. To make ends meet, many go without heat for a time or resort to alternatives—such as space heaters or

using the stove for heat—that place their families at risk.

Last year, LIHEAP helped over 6 million households—including 86,000 in Connecticut—heat or cool their homes. LIHEAP recipients include many poor children living in households headed by single mothers. Roughly 37 percent of recipients are elderly and 15 percent are disabled persons. Overall, LIHEAP households are among the poorest of the poor—three-fifths have incomes below \$6,000 a year. Yet many of the families who benefit have members who are working, but are unable to quite make ends meet.

But let's not fool ourselves that these are the only households in need and that we have some cushion to cut. LIHEAP funding has been under siege for several years and currently is half a billion dollars below its 1985 level. Last year, LIHEAP served only between 25 and 35 percent of eligible households. Those lucky enough to receive assistance were still in need. On average, LIHEAP covered only about 22 percent of the household's energy costs. For the poorest households in my own State of Connecticut, those energy costs can equal as much as 25 percent of total household income.

I believe the case for restoring LIHEAP funds is compelling. Last year, at a hearing I chaired on the reauthorization of LIHEAP, several LIHEAP recipients put an all too human face on the need for energy assistance. There was Mr. Carlos Dominguez, whose family narrowly avoided homelessness with LIHEAP's assistance. There was Mrs. Ruth Kavanagh, an elderly widow on a fixed income, for whom LIHEAP assistance freed up a little more cash to be spent on food and transportation. Finally, and most tragically, there was Mrs. Ethel Peacock, who only 2 months before had lost three small sons in a house fire caused by a frayed space heater cord. She had never heard of LIHEAP. In her courageous testimony, she said, "You must put more funds into energy assistance. My children should not have to live without heat, lights and water. My three boys did not deserve to die."

I can think of no better justification, Mr. President, for this amendment. Like the cord on Mrs. Peacock's space heater, our so-called social safety net is becoming tattered and frayed. The LIHEAP provisions in this amendment mend it only a little, but they are an important step. Clearly, the task of preserving the safety net will only grow more difficult as we search for solutions to our budget deficit problems. But I remind my colleagues that programs such as LIHEAP—which provides for a basic human need—define our Nation's social conscience. This amendment helps prevent that definition from blurring and is an important statement about our commitment to

preserving this lifeline for needy families.

HEALTH CARE FINANCING ADMINISTRATION

Mr. BENTSEN. Mr. President, I am deeply concerned about the omission of certain funding in the pending bill H.R. 2707. Specifically, I have noted that the bill includes no funds for the survey and certification of health care facilities serving Medicare beneficiaries, and provides drastically reduced administrative funding for the Health Care Financing Administration, which oversees the Medicare and Medicaid programs.

The survey and certification of hospitals, nursing facilities, and other health care providers is necessary to ensure that Medicare and Medicaid beneficiaries receive quality care. A facility that does not meet the certification standards will not be reimbursed for providing care to these beneficiaries. Moreover, the survey process is at the heart of implementing new standards for nursing home care that were established in the Omnibus Budget Reconciliation Act of 1987.

Mr. President, I fully recognize the prerogative of the Appropriations Committee to make judgments regarding funding levels for the administrative expenses of entitlement programs such as Medicare and Medicaid. Nevertheless, as chairman of the authorizing committee responsible for the Medicare and Medicaid programs, I feel I must express my concern about the impact of the decision to eliminate funding for these critical functions.

The committee report clearly states that the bill does not include the \$300 million in funding that normally would be applied to survey and certification activities. Under the Senate appropriations bill, funds for survey and certification would be available only if the President requests congressional designation of a budget emergency and a user fee is not collected. I am not willing to let these quality assurance activities depend on the President's willingness to seek the declaration of a budget emergency, especially when the emergency could have been prevented. Moreover, the "emergency" designation under the Budget Act was not intended to be used for ongoing governmental functions such as survey and certification.

The alternative suggested by the Appropriations Committee is for the authorizing committees to consider a tax increase in the form of a fee levied against nursing homes, hospitals, and other health care facilities providing care to Medicare and Medicaid beneficiaries.

Mr. President, the report accompanying the Senate bill indicates that a technical scorekeeping issue required the committee to reduce HCFA administrative expenses so drastically, and that the committee really intended to cut these funds from the Medicaid Pro-

gram to reflect the Federal portion of survey and certification expenses. The House bill includes the full \$300 million needed for Medicare and Medicaid expenses associated with survey and certification activities. Thus, the Senate conferees will be able to restore funding necessary for these essential activities to ensure quality care for Medicare and Medicaid beneficiaries. I would hope that my colleague from Iowa [Mr. HARKIN], chairman of the Labor/Health and Human Services Appropriations Subcommittee, is as concerned as I am about the quality of care provided to our nation's elderly, disabled, and low-income citizens. I speak today to urge him and other Senate conferees to work toward a reasonable compromise in the conference to protect Medicare and Medicaid beneficiaries by ensuring that the quality of their health care is not jeopardized by a shortfall in funding for survey and certification. Thank you, Mr. President.

FUNDING FOR NIDRR RANDOLPH-SHEPPARD BLIND VENDING FACILITY PROJECT AT HONOLULU INTERNATIONAL AIRPORT

Mr. AKAKA. Mr. President, I ask the chairman's help, on behalf of the Hawaii delegation, in clarifying and elaborating upon language contained in the report of the Senate Appropriations Committee on the pending bill. Specifically, the report refers to funding for a project of great interest to the State of Hawaii: establishment of a national model cluster of blind vending facilities under the Randolph-Sheppard Act at the Honolulu International Airport.

Mr. HARKIN. I will be pleased to do so.

Mr. AKAKA. It is my understanding that the committee expects funds to be expended for this demonstration project out of money appropriated to the National Institute of Disability and Rehabilitation Research in the Department of Education, that the amount of such funds is to be \$250,000 to be provided to the state to do whatever is necessary to defray the cost of planning, developing, and establishing a number of blind vending facilities at the Honolulu International Airport, and that such funds are to be provided to the Hawaii Department of Human Services directly, or through a supplemental grant or cooperative agreement with the Pacific Basin Rehabilitation Research and Training Center.

Mr. HARKIN. The committee enthusiastically supports the provision of funds to the State of Hawaii for this very important demonstration project.

Mr. AKAKA. I thank the Senator. I wish to commend the senior Senator from Hawaii [Mr. INOUE] for promoting this project in committee, and to thank the Senator from Iowa for his strong support. The project will bring new employment opportunities for blind Hawaii residents, and will serve as a national model under the Ran-

dolph-Sheppard blind vending facility program.

SOCIAL SECURITY ADMINISTRATION EXPENSES

Ms. MIKULSKI. Mr. President, would the chairman yield?

Mr. HARKIN. I am happy to yield to the Senator from Maryland.

Ms. MIKULSKI. As the chairman knows, the Social Security Administration is having increasing difficulty administering its programs.

The number of people making initial claims for disability has grown so much that even the agency admits its own budget request will be insufficient to meet the need. The budget request stipulates that even if it gets the \$4.532 billion it has requested, pending initial claims for disability will rise by 80 percent to over 700,000 by the end of fiscal year 1992. In better times, unaddressed requests for disability coverage hovered around 175,000 per year.

Mr. President, that means that 700,000 Americans will have asked for assistance and will not have their needs addressed promptly. And it may be that this backlog of pending requests will be even higher than predicted.

This means disabled Americans may have to wait for as much as six months before they get the assistance they are entitled to from the Social Security Program. This is simply unacceptable. The agency, in documents submitted to the Ways and Means Social Security Subcommittee, specifically says that it needs \$5.1 billion to properly administer its programs.

I urge the distinguished chairman of the Labor-HHS Subcommittee to do all that he can in conference to at least meet the House level for the Social Security Administration funding. I would like to work closely with him and others in the upcoming fiscal year to see what we can do to raise additional resources available to the agency so that it can reasonably and efficiently carry out its responsibilities to the American people.

Mr. HARKIN. I agree with the Senator from Maryland that the needs of the Social Security Administration are great and will do my best to provide a more sufficient level of funding in conference. I would also be happy to work with my colleague on this problem in the coming months to see what can be done to improve this situation.

JOB CORPS

Mr. BURDICK. Mr. President, I want to take a moment to recognize Chairman HARKIN and my colleagues on the subcommittee for the tremendous job they have done regarding the fiscal year 1992 Labor, HHS, and Education appropriations bill. Each year I am extremely proud of the professionalism that accompanies this bill.

I would also like to point out an item in this legislation which I find to be very important. This bill includes funds needed to initiate the Job Corps

50-50 plan. This plan would strengthen and expand our Government's most successful residential employment and training program for poverty youth.

For the past 28 years, Job Corps has proven it effectively turns young lives around through education and training provided on centers. The citizens of North Dakota will soon have a new Job Corps center in the community of Minot to serve poverty youth across our State. We look forward to the results.

Chairman HARKIN, I cannot stress enough the importance of strengthening and expanding Job Corps through the 50-50 plan. This is an initiative that our country needs now more than ever and I look forward to working with you to complete the 50-50 plan in the coming years.

RESEARCH ON CHILD DEVELOPMENT AND SOCIAL POLICY

Mr. DODD. Mr. President, there is an issue which I would like to clarify with the distinguished chairman of the subcommittee related to language contained in the report urging the National Institute of Child Health and Human Development to give priority to funding the Bush Center in Child Development and Social Policy located at Yale University.

The Bush Centers in Child Development and Social Policy have operated for more than a decade at a number of sites nationally, including Yale University. While the work of these centers is indeed meritorious, I understand that they lack the basic biomedical research component that would qualify them for the mission of the Child Health Research Centers program. Furthermore, I understand that the fine work of the Bush Centers falls more directly under section 1110 of the Social Security Act, authority for which is traditionally granted to the service agencies of the Department of Health and Human Services.

Mr. HARKIN. As the Senator from Connecticut knows we, with the leadership of Senator INOUE, have encouraged NIH and all the Institutes to do more behavioral research and NICHD is no exception. Nevertheless I would be pleased to work with the Senator from Connecticut to explore additional funding options such as those under section 1110 of the Social Security Act, priority be given to funding the Bush Center at Yale University.

Mr. DODD. Mr. President, I concur with the recommendation of my friend and colleague from Iowa and join him in urging that the Assistant Secretary for Children and Families give priority to providing section 1110 moneys to the Bush Center at Yale University. I want to thank the distinguished chairman for clarifying this matter and for his continuing commitment to quality research on issues affecting children and families.

AMENDMENT NO. 1084

Mr. DODD. Mr. President, I rise in strong support of the Labor-HHS-Education appropriations bill, especially as amended by the committee to expand funding for vital programs including LIHEAP, certain education programs, and childhood immunization. I strongly supported the amendment yesterday to shift greater funding into chapter 1, vocational education, foreign language assistance, and Federal student aid programs. Those increases reflect my belief that education must be a No. 1 priority for this Nation.

I want to commend Senator HARKIN for his outstanding leadership in developing a final bill that responds to the most pressing social needs across the Nation. It is always difficult to determine how best to stretch thin dollars to cover the many unmet needs of American children and families. But this year, that challenge has been more formidable than at any time I can remember. Yet, despite the unprecedented budget constraints, Senator HARKIN and other members of the subcommittee have found creative ways to prioritize and to target funding where it will make the most difference for millions of American families.

As chairman of the Senate Subcommittee on Children, Family, Drugs and Alcoholism and a member of the Education Subcommittee, I have been directly involved in the growth and development of many of the programs funded by this bill—Head Start, the Child Care and Development Block Grant, the Child Abuse Prevention and Treatment Act, and the Low-Income Home Energy Assistance Program [LIHEAP]. Every time we conduct a hearing on one of these programs, the stories pour out. The witnesses sound the same themes, time and time again. They describe the outstanding and proven records of these programs. They also tell the other part of the story: Of the two-thirds of eligible children who cannot participate in Head Start, of the children who fill the child care waiting lists unable to find space with safe providers, of the teenagers whose parents piece together college tuition, of the families who cannot afford to heat their homes when LIHEAP runs out of funds to assist them. So many of our social programs could be described in exactly the same words—they bring direct and immediate improvement in people's lives, they result in long-term societal savings far exceeding their costs, and they serve only a small portion of those in need.

Mr. President, faced with these undeniable facts, I believe our responsibility is to roll up our sleeves and figure out how to reach more families through programs that work. Regrettably, our job is made more difficult by an administration that continues to focus its attention and resources on world problems at the expense of any

real domestic agenda. Too much of our attention in Labor-HHS-Education appropriations is drained by battles simply to protect effective programs from administration-proposed slashing.

Throughout our history, we as Americans have shared a common goal—to make life better for our children than it was for us in our own time. Today—for the first time in our history—America's working families can no longer count on a better life for their children. Caught in a squeeze between changing family demographics, stagnant income, and rising basic costs, families now question whether the American dream is beyond reach.

The 1980's were great for the wealthy, but working people were left far, far behind. I see the ravages of the 1980's throughout my State of Connecticut, and I know my colleagues see the damage across this country. But this Nation needs a President—a leader—who sees it as well. We need a President whose interest in the people of Bridgeport, New Haven, Hartford, Naugatuck, and Windham is as great as his interest in most-favored-nation status for China. As yet another company in Connecticut shuts down and the unemployment lines grow longer, I look with hope to President Bush for recognition of the concerns and needs of families right here at home.

In the meantime, I am pleased with the steps taken by this appropriations bill. Let me take a moment on a few programs of top priority for me and for my State of Connecticut.

The Child Care and Development Block Grant would be funded at \$825 million, which is its full authorization level and an increase of \$93 million over fiscal year 1991. The Head Start Program would be funded at \$2.2 billion, an increase of \$250 million over fiscal year 1991 and \$150 million more than the administration request.

Because of the amendment adopted yesterday, originally submitted by Senator WIRTH, funding levels for chapter 1, vocational education, foreign language assistance, and federal student aid programs has been increased significantly. I applaud this change from the bill reported by the committee. The children of our Nation deserve a seamless garment of programs and opportunities as they grow up, from safe child care to an affordable college education. The final appropriations bill helps to weave that seamless garment.

The Low-Income Home Energy Assistance Program—or LIHEAP—has been the subject of much debate. This program provides home heating and weatherization assistance to low-income families. The administration proposed cutting LIHEAP by \$600 million. The final Senate Labor-HHS-Education appropriations bill, as amended, restores funding. On behalf of the people of Connecticut, I would have liked to see an even greater increase in funds

for this program, but given the budget constraints and the extreme administration proposal, I appreciate the responsiveness of Senator HARKIN and others and believe the final bill is fair.

The bill also includes \$80.5 million for construction and rehabilitation of job corps centers. This will cover the higher than anticipated costs of opening four centers, including the one in New Haven. I am very pleased that we will be able to bring this new program into the state. The New Haven center will provide disadvantaged youth with concentrated training and other services to help them become employed.

Finally, there are many, many ways in which this bill would improve services to children and families. This long list reflects the thoughtful attention of the subcommittee whose members recognized that a multitude of often small programs make a tremendous difference in people's lives.

For example, the bill doubles funding for critical programs to prevent and address domestic violence. Similarly, the states will welcome the \$2 million in additional funding for grants for child abuse prevention and treatment activities, and the \$3 million for outreach to homeless children through mobile medical units—pediatric vans—will reach children otherwise lost to our health care systems.

In addition, the subcommittee's bill significantly strengthens key health programs such as the community health centers and the maternal and child health block grant. In communities like New Haven—where we face very high infant mortality rates—these funds are desperately needed and can be put to immediate use.

Mr. President, when we look back on 1991, the picture will be a mixed one. The people of Eastern Europe have made strides toward freedom and democracy, fulfilling their dreams. But the people of America have faced a growing economic squeeze and often crumbling social services. This appropriations bill has been an important opportunity to address the needs of American children and families directly and to give renewed hope to their dreams. Under tough circumstances, this bill does a good job, and I am pleased to support it.

CHILDHOOD LEAD POISONING

Mr. LIEBERMAN. Mr. President, I rise today to offer my strong support for the childhood lead poisoning prevention provisions that are included in the Department of Labor and Health and Human Services appropriations bill. For decades we have known of the devastating effects of lead poisoning on children. Exposure to even low levels of lead may cause irreversible neurological damage, decreased intelligence, learning disabilities, and disruptive behavior in unsuspecting children. Lead is a stealth disease. The effects of lead poisoning can exist long before any

overt symptoms appear. There are, however, actions the government can and must take to protect our children from the scourge of this stealth disease.

On February 7, 1991, I cosponsored the Lead Exposure Reduction Act of 1991, along with Senators REID, BRADLEY, and JEFFORDS, which would enable us to begin to wage a war against this disease. It provides for a ban on lead in certain consumer products such as paint, food cans and packaging, toys, curtain weights, and foils for wine bottles. The bill also includes a comprehensive program to promote lead exposure abatement by developing better standards for detection of lead levels in blood, studying the sources of lead exposure in children who have elevated blood lead levels, and studying the contribution to blood lead levels from water, air, soil, and paint. This bill was reported out of the Environment and Public Works Committee on August 1, 1991. At the markup, I was pleased to support amendments that would require the disclosure of any known lead hazard in a home at the time of sale or lease, the distribution of information describing the risk posed by lead, and a recommendation that home inspections be conducted at the time of sale or lease. When this bill comes to the Senate floor, I plan to offer an amendment requiring inspection of elementary schools, nursery schools and day care centers for the presence of lead in paint and lead in soil.

The childhood lead poisoning prevention provisions in the Labor-HHS appropriations bill are a critical complement to the Lead Exposure Reduction Act. These provisions expand the number and scope of grants from the Centers for Disease Control so that more States will have the ability to increase the number of children screened and to refer affected children for appropriate treatment. Without a national screening program we will not be able to identify those children being exposed to potentially dangerous levels of lead and remove them from their lead-contaminated environment as early as possible.

In order for national screening to be effective, the public must be educated on the sources of lead in their homes and their environment and the vast benefits of and the means for reducing lead in their environment. Health care providers must be made aware of the importance and benefits of doing routine blood lead screening of the children they care for. The childhood lead poisoning prevention provisions will allow the establishment of a national education program to provide public and professional education on the sources and routes of exposure, the value of screening, and preventive measures to decrease exposure.

The childhood lead poisoning prevention provisions also will provide for a research program to develop improved testing measures that are simple, accurate, and inexpensive to detect lead poisoning in children. In addition, the provisions will support the conduct of a much needed long-term study that will assess the occurrence and prevalence of lead poisoning. Currently it is estimated that between 3 and 4 million children suffer from lead poisoning. However, the studies called for in the provisions and in the Lead Reduction Exposure Act will identify where the greatest prevalence of lead poisoning can be found and to what it is attributed.

The nationwide screening, education, and research programs that are provided in the childhood lead poisoning prevention provisions of the Labor-HHS appropriations bill and in the Lead Reduction Exposure Act are the means to begin to wage a war against the No. 1 environmental disease of young children. Unfortunately, since lead has contaminated our environment for hundreds of years it is ubiquitous and, therefore, the war against lead poisoning will not be a quick and decisive one. Nonetheless, it must begin before we lose even more of our precious resources—our children—to this stealth disease.

CONGRESS MUST BE FISCALLY RESPONSIBLE

Mr. CRAIG. Mr. President, today we are taking action on the Labor, Health and Human Services, and Education appropriations for fiscal year 1992—a bill that provides funding for some of our Nation's most important programs—and, unfortunately, a bill that contains some of Congress' most excessive spending.

While this bill may meet targets set by last year's budget agreement, excessive spending in the out years will greatly contribute to the Nation's budget deficit. The fiscal irresponsibility of this bill does not demonstrate any ability to face the reality of our national debt. This bill is over \$21 billion more than last year's adjusted appropriations, which is an increase of more than 10 percent—a level well over the rate of inflation. How can we get our budget deficit under control when the Congress continues to appropriate at these fiscally irresponsible levels?

There are some excellent Federal programs that promote the welfare of our Nation—for example, the National Institutes for Health, Medicare and Medicaid, Impact Aid, Head Start, Vocational Education, TRIO programs, and employment training. I do not oppose adequate funding for these sorts of programs. However, adequate funding does not mean double-digit percentage increases.

I am very pleased to see the funding levels maintained for Medicare contractors, which covers toll free information lines for beneficiaries and pro-

viders. My colleague Senator BROWN and I worked to get that funding maintained, and language included in the report to require the Health Care Financing Administration to maintain those lines. There are other areas such as increases in funding for medical research in the areas of Alzheimer's disease, cancer, and AIDS. I also strongly support the funding for community and migrant health centers, which are such a vital part of my State of Idaho's health care delivery system.

On April 16 of this year, I testified before the Senate Appropriations Subcommittee on the importance of adequate funding for educational programs critical to the State of Idaho. Any significant increase in existing programs is difficult to justify in light of our large Federal budget deficit. However, existing programs of proven worth must be funded equitably with existing resources. Among the programs I support which have been provided for include Impact Aid, Vocational Education, Head Start, Dislocated Worker Assistance, and TRIO. The track record of these programs is well-established. They have shown their worth over time and deserve adequate funding. In addition, funding has been provided for President Bush's "America 2000" proposal, contingent upon congressional authorization before December 31, 1991. I support these bold new education initiatives, crafted by the President and Secretary of Education Lamar Alexander, and believe they should be given a chance to work.

Some will argue that the funding levels in this bill, especially for education, are too low. I perceive them to be more than adequate—far outpacing inflation. To illustrate this point, the Department of Education's appropriation for fiscal year 1991 was about \$27 billion. This bill would boost that to more than \$30 billion, an increase of greater than 10 percent.

Mr. President, Congress continues to go beyond this Nation's financial capability. If we are going to continue to enjoy the kind of economic growth and stability that allows us to provide these important services to Americans, then we must work toward solving our budget problems. There are a number of rural friendly programs being funded in this bill, which I support. However, Mr. President, the overall excessive spending in this bill compels me to oppose it. Congress must be fiscally responsible.

LABOR DEPARTMENT TEST DEVELOPMENT ACTIVITIES

Mr. HATFIELD. Mr. President, I would like to clarify with the manager of the bill the intent regarding use of employment service national activities funds for contracts with non-State entities for test development research. The Labor Department has undertaken a research program intended to address a number of important issues surround-

ing the use of the general aptitude test battery. These issues were raised in a National Academy of Sciences study and elsewhere. These efforts should be continued and, where feasible, State agencies should be utilized. However, where expertise is not available through the States the Department has flexibility to procure services elsewhere.

Mr. HARKIN. It is indeed our intent that funds may be obligated by the Department of Labor in contracts with non-State entities for test development activities which benefit the Federal-State employment service system.

MEDICAID REGULATIONS

Mr. FORD. Mr. President, I wonder if the distinguished chairman of the Senate Finance Committee might be willing to enter into a colloquy with me about this subject of Medicaid regulations.

Mr. BENTSEN. I would be delighted to discuss this issue with my colleague from Kentucky.

Mr. FORD. Does the chairman share my concerns that these regulations may have a devastating impact on our States and their ability to fund Medicaid services for our neediest families?

Mr. BENTSEN. As the Senator knows, these regulations were just issued today, and the committee has not had time to fully assess their impact on the States. However, it is clear that many States believe that these regulations will require either significant changes or elimination of their Medicaid voluntary contribution or provider-paid tax programs. The doubt arises from the ambiguity of the regulatory language—which you alluded to—and I believe that the Department of Health and Human Services owes it to the States and Congress to clarify the meaning of the regulations. I intend to obtain such clarification from the Department.

For some States, including Texas, the impact of these regulations could be significant. The Committee on Finance has already held one hearing on this issue, and I encourage the States to advise us of the impact of these regulations on their programs as soon as possible. I can assure the Senator that my staff and I will be closely reviewing these regulations and the comments of the States to ensure that congressional intent is followed.

However, I am concerned that OMB will score a cost for an extension of the current moratorium, which would lead to a sequester of many equally vital programs. I do not believe we can risk such a sequester at this point. But I can assure the Senator that we will be listening to the States in the coming weeks to assess the full impact of these regulations on their programs and will take whatever action is appropriate to resolve this issue.

Mr. FORD. I appreciate the comments of my good friend and distin-

guished colleague, the chairman of the Finance Committee, and look forward to working with him to address this issue before the end of the year. In light of the chairman's comments, I will not be offering this amendment at this time.

The Congressional Budget Office advises me that no costs would be scored for this amendment. However, under the Budget Enforcement Act enacted last year, OMB has the final say on the cost estimate for this amendment. I recognize the concerns of some that OMB will score a cost, which would trigger a sequester in domestic programs, and I clearly would not want to be responsible for that. But the fact is, if HCFA is arguing that these regulations merely implement current law and go no further, then extending the moratorium through the end of this fiscal year should have no cost impact. On the other hand, if these regulations do go farther than Congress intended, as I suspect, OMB will certainly be able to come up with a cost.

Mr. President, we need to send a signal to HCFA, today, that Congress intends to deal with these regulations and we will reserve time for our authorizing committee to do so before the interim rules become effective on January 1. We need to send a signal, today, to our States, that they will not have to convene their legislatures between now and the end of the year in order to avoid busting their budgets next January in the middle of their fiscal year. And we need to send a signal, today, to the poor families who depend upon these programs to pay for much needed Medicaid benefits, that we will work to ensure that they have access to basic health care.

While I believe that my amendment would have sent such a signal, there is simply not enough time to achieve that result. But HCFA and OMB should not take my decision to mean that I either sanction these regulations or will sit by and let them be implemented, thereby robbing the poorest families in Kentucky of basic health care. I am serving notice to HCFA, and OMB, that I will fight to allow my State to continue to find innovative ways to take care of our people.

Mr. President, I will ask unanimous consent that an article by Gov. Wallace Williamson of Kentucky be printed in the RECORD following my statement.

Mr. President, I had intended to offer an amendment to this bill which would have extended through the end of this fiscal year the moratorium enacted in OBRA 90 on final regulations by the Department of Health and Human Services on State Medicaid matching payments through voluntary contributions and provider-paid taxes.

Without this extension, my State, and approximately 30 others, stand to lose millions of dollars next year under interim final regulations issued by the

Health Care Financing Administration today. Under the current moratorium, these regulations will become effective on January 1, 1992, right in the middle of most States' fiscal year. These States simply do not have enough time to adjust their budget to comply with the regulations.

Those States affected by these regulations met earlier today with officials from the Department of Health and Human Services. According to Kentucky officials who attended the meeting, HCFA admitted that the regulations do not necessarily reflect what was intended, but that the Department wants to work with the States on an individual basis to revise these programs. Regrettably, Kentucky's poorest families simply cannot take the gamble of losing \$500 million in Medicaid benefits through such negotiations.

The moratorium we enacted in OBRA 90 was actually an extension, in part, of a moratorium enacted first in 1988, and extended in 1989, on regulations affecting voluntary contribution programs used by the States to generate Federal matching payments under Medicaid to pay for escalating Medicaid costs. Last year, however, we also made it clear that States could use provide-paid tax programs to raise revenues for Medicaid, with an exception to exclude taxes for a provider's cost base for purposes of Medicaid reimbursement. The Department claims that the regulations issued today merely conform and interpret that exception. Based upon the meeting today, my State believes that these regulations go far further.

I ask that the article to which I referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**CHANGES IN RULES ON MEDICAID FUNDING
COULD LEAD TO TAX HIKE, CUTS IN BENEFITS**

(By Wallace G. Wilkinson)

This year Kentuckians are celebrating an historic event, the 200th anniversary of our statehood. Two hundred years in partnership with our sister states and the federal government.

This year also marks another anniversary, one that will not be observed with parades, picnics or other festivities. It is the silver anniversary of the implementation of Medicaid—an extension of the state/federal partnership to ensure that the least able of our fellow citizens have access to health care.

Unfortunately, there are efforts underway in Washington right now that threaten to tear apart the very fragile fabric of the 25-year-old Medicaid partnership between states and the federal government.

In 1985, the federal Health Care Financing Administration (HCFA) sanctioned the use of private funds as part of the states' share of Medicaid costs. The concept of using such "provider" fees or "donations" was subsequently included in the Omnibus Budget Reconciliation Act of 1990 passed by Congress and signed into law by President Bush.

Kentucky has led the way in the use of these legitimate, innovative methods of financing health care costs of our citizens. As

a result of legislation proposed by my administration and passed by the General Assembly in the 1991 Special Session, Kentucky has been able to preserve benefits for some 425,000 Kentuckians and extend in-patient hospital coverage to 350,000 more of Kentucky's so-called working poor without additional costs to Kentucky taxpayers.

This fiscal year alone, Kentucky's share of federally mandated Medicaid expansions will cost an additional \$56 million. That figure will rise to \$71 million next fiscal year and surpass \$85 million the year after that. That is how much more it costs Kentucky just to meet our share of Medicaid expenses under existing federal mandates. That is in addition to the \$353 million the Commonwealth already is spending in this fiscal year to match federal dollars.

Provider fees and donations have provided the states with a practical and feasible alternative to meeting the costs of federal mandates. Without them the states would have no choice but to raise taxes on the general public or cut services.

Had Kentucky not used the vehicle of provider fees to match federal dollars, our Commonwealth would have been forced to reduce payments, eliminate coverage or move money from some other needed government program to pay our Medicaid bill.

In this fiscal year alone, Kentucky's provider assessment program will produce \$533 million in Medicaid funds. It is important to note that of the \$156 million being produced by Kentucky's provider assessment program matched with \$377 million federal dollars, not one penny will go anywhere other than to fund Medicaid services for Kentuckians.

Nevertheless, because Kentucky and 38 other states, playing by Washington's rules, are providing additional services through a federally authorized option, there is now a move afoot to squelch these programs, leaving the 50 statehouses with the unpaid bills and a shrug of the shoulders from the White House.

Interim regulations are being rushed through by HCFA to nullify provider assessment and donation programs such as the one passed by Kentucky. If these regulations take effect, this important option for meeting the federal government's mandated expansion of Medicaid will end. HCFA will penalize states for not meeting deadlines for expanded services, while simultaneously turning a deaf ear to governors and legislators who will be forced to raise taxes or cut programs.

These regulations must not take effect. We must speak firmly and loudly against this "reneging" by the White House on a law that gave states a much needed funding avenue. More importantly, neither HCFA nor any other federal agency should be allowed to presume that it has any authority to dictate to a sovereign state government which taxes it may impose and upon whom it may impose them.

In simple terms, Washington established the rules of the game and now wants to change them. We cannot let that happen.

Let your voice be heard. We cannot allow the federal government to force states into the same deficit-spending way of doing business that is the norm in Washington. If we do not prevail, thousands of our fellow Kentuckians, indeed millions of Americans, will suffer.

COMMENDING THE SUBCOMMITTEE

Mr. LAUTENBERG. Mr. President, I rise in support of the Labor, Health and Human Services, and Education appropriations bill for fiscal year 1992.

I commend Senator HARKIN, the subcommittee chairman, for putting together this bill. Many worthy programs compete for limited funds in this appropriations bill and the Senator from Iowa had to make some very difficult choices in crafting this bill.

I appreciate the willingness of the subcommittee chairman to include funding for a number of important programs which I requested that are designed to address critical domestic needs.

One of the biggest health challenges of the last decade has been the AIDS epidemic. The AIDS epidemic now affects young and old, men and women, black and white, urban and rural, and has already taken over 150,000 lives. This epidemic, which is now growing at approximately 35 percent per year, has been crippling our public health system for the past few years.

In response to this epidemic and the tragic death of Ryan White, the Congress passed the Ryan White CARE Act in 1990. I was a cosponsor of this legislation that was designed to provide emergency funding for AIDS care, prevention, and education. The bulk of the funding was designed to go to 16 target areas, including Hudson County, NJ, and the Newark, NJ, metro area, and the 50 States.

Recognizing the great need for Ryan White CARE Act funding, I urged Senator HARKIN to include \$440 million for this act in fiscal year 1992. This would have doubled the funding from fiscal year 1991. Given the nature of this epidemic, I believed that this response was appropriate. While this bill includes \$289 million for the Ryan White CARE Act, which is less than my request, it is an increase of \$68 million over last year's level and \$47 million more than the House fiscal year 1992 level. I commend the chairman of this subcommittee for including this increase even though the Labor and Health and Human Services allocation was below last year's level plus inflation and hope that we can work together in the future to provide the highest possible funding for this program.

The \$289 million total for Ryan White programs will provide about a 40 percent increase in funding for AIDS care and education programs in Newark, NJ, and Hudson County, NJ, as well as other hard-hit areas across the United States.

This bill also provides funding for the National Institute of Allergy and Infectious Diseases [NIAID]. The committee report recognizes that minorities have been underrepresented in NIAID's AIDS clinical trials research groups. Recognizing that New Jersey has one of the highest per capita rates of HIV infection and pediatric AIDS, the committee report encourages NIAID to create more clinical trials at the University of Medicine and Dentistry of New

Jersey [UMDNJ] in Newark for research purposes that will benefit women and minorities in New Jersey and nationwide.

This bill also restores a House cut in the domestic refugee and entrant assistance program and provides the full funding of \$410.2 million. The House cut \$117 million from the Refugee Cash and Medical Assistance Program [RCMA] and the Senate Appropriations Committee restored these funds but delayed their obligation until the end of fiscal year 1992. I am pleased to see that the committee amendments to this bill includes a provision dropping this delayed obligation, thereby making all of the funds available for regular quarterly reimbursement to States. I commend the chairman of the subcommittee for recognizing how critical the domestic refugee and entrant assistance program is to successful resettlement of refugees fleeing desperate situations in their home countries.

Mr. President, I have also been concerned about meeting the need for innovative elementary and secondary education programs to improve our Nation's schools. This bill includes \$9.5 million for the model community education employment centers [CEEC] authorized in the Carl D. Perkins Vocational and Applied Technology Act of 1990. I secured the authorization for this new program because there is a great need for innovative school-based programs to help low-income, disadvantaged children to graduate from high school and secure meaningful employment. I am pleased that the committee report which accompanies the bill encourages the Department of Education to test the success of this model program in an urban school district in New Jersey.

This bill also includes \$5.25 million for computer-based instruction programs funded through the Secretary's Fund for Education Innovation. I secured authorization for this program in 1988 and it has received appropriations since fiscal year 1989. The computer education program provides funds for special projects that expand and strengthen computer education resources in elementary and secondary schools. It is designed to increase opportunities for our young people to receive hands-on experience with computers and technology.

This bill also includes a provision that overturns the administration's gag rule on health professionals giving women who visit family planning clinics advice and information about reproductive choices, including abortion. Several other Senators and I urged Chairman HARKIN to include this language. I hope the administration sees the handwriting on the wall and reverses this policy which intrudes on the confidentiality of the doctor-patient relationship.

I am also pleased that the Senate adopted an amendment that restored much of the funding for the Low-Income Home Energy Assistance Program [LIHEAP]. The new total of \$1.5 billion for LIHEAP in the Senate-passed bill will provide essential assistance to low-income families that must struggle to pay heating bills each winter. Without adequate funding, many current LIHEAP recipients are so poor that they must choose between heating their homes and buying food.

I am also extremely concerned about the growing problem of trauma-related injuries. For this reason, I asked Senator HARKIN to include special funding for injury control and head and spinal cord injury research and treatment. The Centers for Disease Control [CDC] received a total appropriation of \$28,066,000 for injury control which is \$4,030,000 over last year and \$2 million above the House passed level. Out of the \$28,066,000 total, \$1 million was set aside for a new injury control and demonstration center. The University of Medicine and Dentistry of New Jersey [UMDNJ] meets most of the criteria described in the report and I expect them to compete for these funds that I requested that Senator HARKIN set aside. In terms of head and spinal cord injuries, I also urged Senator HARKIN to include funds in the National Institute of Neurological Disorders and Stroke [NINDS] for regional trauma care and research centers that combine injury science with basic science and are integrated with a health-care delivery system and a Level I trauma-care center. I also believe that UMDNJ is well qualified to host such a center.

Once again, I commend the distinguished chairman of the Labor-HHS appropriations subcommittee for accommodating my requests and I will work closely with him to ensure that all of these items are satisfactorily included in the fiscal year 1992 conference report accompanying this bill.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read for a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 78, nays 22, as follows:

[Rollcall Vote No. 189 Leg.]

YEAS—78

Adams	Ford	Mitchell
Akaka	Fowler	Moynihan
Baucus	Glenn	Murkowski
Bentsen	Gore	Nunn
Biden	Gorton	Packwood
Bingaman	Graham	Pell
Boren	Grassley	Pressler
Bradley	Harkin	Pryor
Breaux	Hatfield	Reid
Bryan	Hollings	Riegle
Bumpers	Inouye	Robb
Burdick	Jeffords	Rockefeller
Burns	Johnston	Rudman
Byrd	Kassebaum	Sanford
Chafee	Kennedy	Sarbanes
Cochran	Kerrey	Sasser
Cohen	Kerry	Seymour
Cranston	Kohl	Shelby
D'Amato	Lautenberg	Simon
Danforth	Leahy	Simpson
Daschle	Levin	Specter
DeConcini	Lieberman	Stevens
Dodd	Lott	Warner
Dole	McConnell	Wellstone
Domenici	Metzenbaum	Wirth
Durenberger	Mikulski	Wofford

NAYS—22

Bond	Gramm	Nickles
Brown	Hatch	Roth
Coats	Hefflin	Smith
Conrad	Helms	Symms
Craig	Kasten	Thurmond
Dixon	Lugar	Wallop
Exon	Mack	
Garn	McCain	

So, the bill (H.R. 2707), as amended, was passed.

Mr. MITCHELL. Mr. President, I move to reconsider the vote.

Mr. SPECTER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives on the disagreeing votes thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer [Mr. GLENN] appointed Mr. HARKIN, Mr. BYRD, Mr. HOLLINGS, Mr. BURDICK, Mr. INOUE, Mr. BUMPERS, Mr. REID, Mr. ADAMS, Mr. SPECTER, Mr. HATFIELD, Mr. STEVENS, Mr. RUDMAN, Mr. COCHRAN, Mr. GRAMM of Texas, and Mr. GORTON conferees on the part of the Senate.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

The PRESIDING OFFICER. Pursuant to the previous order, the Senate will proceed to the immediate consideration of the bill, H.R. 2686, the Interior appropriations bill, which the clerk will report.

The legislative clerk read as follows: A bill (H.R. 2686) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in *italics*.)

H.R. 2686

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

**BUREAU OF LAND MANAGEMENT
MANAGEMENT OF LANDS AND RESOURCES**

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau of Land Management, **[\$516,865,000]** *\$537,049,000* of which the following amounts shall remain available until expended: not to exceed \$1,400,000 to be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-6a(1)), and **[\$27,000,000]** *\$20,000,000* for the Automated Land and Mineral Record System Project: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau of Land Management or its contractors;—and in addition, \$12,300,000 for Mining Law Administration program operations: *Provided further*, That the sum herein appropriated shall be reduced as mining claim holding fees are received during fiscal year 1992 so as to result in a final fiscal year 1992 appropriation estimated at not more than \$516,865,000: *Provided further*, That in addition to funds otherwise available, not to exceed \$5,000,000 from annual mining claim holding fees shall be credited to this account for the costs of administering the mining claim holding fee program, and shall remain available until expended: *Provided further*, That none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws or to issue a patent for any mining or mill site claim located under the general mining laws unless the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before the date of enactment of this Act, and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by that date.]

FIREFIGHTING

For necessary expenses for fire management, emergency rehabilitation, firefighting, fire suppression, and other related emergency actions by the Department of the Interior, **[\$122,010,000]** *\$222,879,000*, to remain available until expended: *Provided*, That such funds also are to be available for repayment of advances to other appropriation accounts

from which funds were previously transferred for such purposes: *Provided further*, That any funds needed for emergency firefighting above the amount of \$100,869,000 shall be designated to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**[EMERGENCY DEPARTMENT OF THE INTERIOR
FIREFIGHTING FUND]**

[For the purpose of establishing an "Emergency Department of the Interior Firefighting Fund" in the Treasury of the United States to be available only for emergency rehabilitation and wildfire suppression activities of the Department of the Interior, \$100,869,000, to remain available until expended: *Provided*, That all funds available under this head are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That funds appropriated under this head shall be made available only after submission to Congress of a formal budget request by the President that includes a designation of the entire amount of the request as an "emergency requirement" for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That all funds included in any budget request made pursuant to this paragraph shall be made available one day after submission to Congress: *Provided further*, That notwithstanding any other provision of law, enactment of this section shall not constitute a change in concept or definition under section 251(b)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall not cause a negative budget authority or outlay adjustment to be made to any discretionary spending limit for the domestic category established by Public Law 101-508.]

CONSTRUCTION AND ACCESS

For acquisition of lands and interests therein, and construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, **[\$12,503,000]** *\$15,518,000*, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976 (31 U.S.C. 6901-07), \$105,000,000, of which not to exceed \$400,000 shall be available for administrative expenses.

LAND ACQUISITION

For expenses necessary to carry out the provisions of sections 205, 206, and 318(d) of Public Law 94-579 including administrative expenses and acquisition of lands or waters, or interests therein, **[\$33,640,000]** *\$16,660,000* to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; **[\$93,074,000]** *\$96,994,000*, to remain available until expended: *Provided*, That 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad

grant lands is hereby made a charge against the Oregon and California land grant fund and shall be transferred to the General Fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,687,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93-153, to be immediately available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: *Provided further*, That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant fa-

cilities to which the United States has title; up to \$25,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed \$10,000: *Provided*, That appropriations herein made for Bureau of Land Management expenditures in connection with the reversioned Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands (other than expenditures made under the appropriation "Oregon and California grant lands") shall be reimbursed to the General Fund of the Treasury from the 25 per centum referred to in subsection (c), title II, of the Act approved August 28, 1937 (50 Stat. 876), of the special fund designated the "Oregon and California land grant fund" and section 4 of the Act approved May 24, 1939 (53 Stat. 754), of the special fund designated the "Coos Bay Wagon Road grant fund": *Provided further*, That appropriations herein made may be expended for surveys of Federal lands and on a reimbursable basis for surveys of Federal lands and for protection of lands for the State of Alaska: *Provided further*, That an appeal of any reductions in grazing allotments on public rangelands must be taken within thirty days after receipt of a final grazing allotment decision. Reductions of up to 10 per centum in grazing allotments shall become effective when so designated by the Secretary of the Interior. Upon appeal any proposed reduction in excess of 10 per centum shall be suspended pending final action on the appeal, which shall be completed within two years after the appeal is filed: *Provided further*, That [notwithstanding 44 U.S.C. 501,] the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of sport fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; for the general administration of the United States Fish and Wildlife Service; and for maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge; and not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408, [509,891,000] \$526,327,000 of which [510,306,000] \$10,806,000 shall be for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water Resources Development Act of 1976 (90 Stat. 2921), to compensate for loss of fishery resources from water development projects on the Lower Snake River, and which shall remain available until expended; and of which \$1,000,000 shall be for contaminant sample analysis, and shall remain available until expended.

CONSTRUCTION [AND ANADROMOUS FISH]

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of sport fishery and wildlife resources, and the acquisition of lands and interests therein; [\$71,102,000] \$95,465,000 to remain available until expended;—of which \$300,000 shall be available for expenses to carry out the Anadromous Fish Conservation Act (16 U.S.C. 757a-757g): *Provided*, That hereinafter notwithstanding any other provision of law, procurements for the Patuxent Wildlife Research Center, the National Education and Training Center, and the replacement laboratory for the National Fisheries Research Center—Seattle, Washington, may be issued which include the full scope of the facility: *Provided further*, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.323.16.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION FUND

To conduct natural resource damage assessments and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101-380), and the Act of July 27, 1990 (Public Law 101-337); [\$3,740,000] \$5,000,000 to remain available until expended: *Provided*, That not withstanding any other provision of law, in fiscal year 1991 and thereafter, sums provided by any party, including sums provided in advance or as a reimbursement for natural resource damage assessments, may be credited to this appropriation and shall remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, [\$87,722,000] \$85,530,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), as amended by Public Law 100-478, \$6,705,000 for Grants to States, to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), [\$11,000,000] \$14,000,000.

REWARDS AND OPERATIONS

For expenses necessary to carry out the provisions of the African Elephant Conservation Act (16 U.S.C. 4201-4203, 4211-4213, 4221-4225, 4241-4245, and 1538), \$1,201,000, to remain available until expended.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101-233, \$8,500,000, to remain available until expended.

[SPORT FISH RESTORATION ACCOUNT]

(LIMITATION ON OBLIGATIONS)

[None of the funds in this Act shall be available for the implementation or execu-

tion of programs the obligations for which are in excess of \$190,000,000 for the Sport Fish Restoration Account, Payments to States, for fiscal year 1992.]

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 145 passenger motor vehicles, of which 129 are for replacement only (including 43 for police-type use); not to exceed \$400,000 for payment, at the discretion of the Secretary, for information, rewards, or evidence concerning violations of laws administered by the United States Fish and Wildlife Service, and miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate; repair of damage to public roads within and adjacent to reservation areas caused by operations of the United States Fish and Wildlife Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the United States Fish and Wildlife Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided*, That the United States Fish and Wildlife Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That hereafter the Tinicum National Environmental Center in Philadelphia, Pennsylvania, shall be known as the John Heinz National Wildlife Refuge at Tinicum.

Notwithstanding the provisions of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301-6308), the Fish and Wildlife Service is hereafter authorized to negotiate and enter into cooperative arrangements and grants with public and private agencies, organizations, institutions, and individuals to implement on a public-private cost sharing basis, the North American Wetlands Conservation Act and the North American Waterfowl Management Plan: Provided, That the National Fish and Wildlife Foundation may continue to draw down Federal funds when matching requirements have been met: *Provided further*, That interest earned by the Foundation and its subgrantees on funds drawn down to date but not immediately disbursed shall be used to fund direct projects and programs as approved by the Foundation's Board of Directors.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed \$566,000 for the Roosevelt Campobello International Park Commission, and not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408, [\$969,047,000] \$949,724,000 without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed \$59,500,000 to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100-203: *Provided*,

That the National Park Service shall not enter into future concessionaire contracts, including renewals, that do not include a termination for cause clause that provides for possible extinguishment of possessory interests excluding depreciated book value of concessionaire investments without compensation: *Provided further*, That of the funds provided herein, \$700,000 is available for the National Institute for the Conservation of Cultural Property: *Provided further*, That hereafter appropriations for maintenance and improvement of roads within the boundary of the Cuyahoga Valley National Recreation Area shall be available for such purposes without regard to whether title to such road rights-of-way is in the United States: *Provided further*, That none of the funds appropriated to the National Park Service in this Act may be used to construct horse stables or any other facilities for the housing of horses at the Manassas National Battlefield Park.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, and grant administration, not otherwise provided for, [\$23,420,000] \$25,269,000, of which \$7,500,000, including acquisition by non-Federal entities under cooperative agreements entered into pursuant to 16 U.S.C. 462(e), shall remain available until expended: *Provided*, That no funds appropriated under this head for the Calumet Historic District may be obligated until funds provided for the Calumet Historic District under construction planning are specifically authorized.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), \$35,931,000 to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1993: *Provided*, That the Trust Territory of the Pacific Islands is a State eligible for Historic Preservation Fund matching grant assistance as authorized under 16 U.S.C. 470w(2): *Provided further*, That pursuant to section 105(1) of the Compact of Free Association, Public Law 99-239, the Federated States of Micronesia and the Republic of the Marshall Islands shall also be considered States for purposes of this appropriation.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), [\$237,506,000] \$194,797,000, to remain available until expended: *Provided*, That not to exceed \$11,200,000 shall be paid to the Army Corps of Engineers for modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989: *Provided further*, That none of the funds under this head may be expended for the Calumet Historic District unless specifically authorized: *Provided further*, That of the funds provided under this heading, \$1,500,000 shall be available for site acquisition for the Lincoln Center in Springfield, Illinois: *Provided further*, That of the funds provided under this heading, \$2,000,000 shall be available for a grant to restore the Chicago Public Library, Central Building as if authorized by the Historic Sites Act of 1935 (16 U.S.C. 462(e)): *Provided further*, That notwithstanding any other provision of law, \$1,000,000 shall be made available for renovation of Tad Gormley Stadium: *Provided further*, That of

the funds provided under this heading, up to \$100,000 shall be available to assist the Town of Provincetown, Massachusetts with planning and construction of a solid waste transfer station on town-owned land provided that the Town and the National Park Service enter into an agreement for shared use of the facility for its lifetime at a rate based on actual operating costs and percentages of total contribution of solid waste by the National Park Service: *Provided further*, That of the funds provided under this heading, \$3,650,000 shall be available for construction of a Gateway Park associated with the Illinois and Michigan Canal National Heritage Corridor: *Provided further*, That [until March 1, 1992,] none of the funds appropriated under this [head] Act or any subsequent Act may be expended for the Steamtown National Historic Site unless specifically authorized.

[URBAN PARK AND RECREATION FUND]

[For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (title 10 of Public Law 95-625) \$10,000,000, to remain available until expended.]

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, [\$108,365,000] \$84,750,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which [\$23,500,000] \$15,500,000 is for the State assistance program including \$3,500,000 to administer the State assistance program: *Provided*, That of the amounts previously appropriated to the Secretary's contingency fund for grants to States \$14,000 shall be available in 1992 for administrative expenses of the State grant program.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1992 by 16 U.S.C. 4601-10a is rescinded.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

For expenses necessary for operating and maintaining the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, \$22,945,000, of which \$16,000,000 shall remain available until expended.

ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR COMMISSION

For operation of the Illinois and Michigan Canal National Heritage Corridor Commission, \$250,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 465 passenger motor vehicles, of which 322 shall be for replacement only, including not to exceed 355 for police-type use, 11 buses, and 5 ambulances; to provide, notwithstanding any other provision of law, at a cost not exceeding \$100,000, transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service; options for the purchase of land at not to exceed \$1 for each option; and for the procurement and delivery of medical services within the jurisdiction of units of the National Park System: *Provided*, That any funds available to the National Park

Service may be used, with the approval of the Secretary, to maintain law and order in emergency and other unforeseen law enforcement situations and conduct emergency search and rescue operations in the National Park System: *Provided further*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That the National Park Service may use helicopters and motorized equipment at Death Valley National Monument for removal of feral burros and horses: *Provided further*, That notwithstanding any other provision of law, the National Park Service may recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: *Provided further*, That section 323 of Public Law 101-512 is amended by striking out "B1/2NW1/4 section 9" and inserting in lieu thereof "E1/2NW1/4 section 9": *Provided further*, That the Secretary of the Interior, acting through the Director of the National Park Service, may enter into a cooperative agreement with the William O. Douglas Outdoor Classroom under which the Secretary may expend Federal funds on non-Federal property for environmental education purposes.

Notwithstanding any Master Plan, Development Concept Plan or policy of the Olympic National Park, nor any federal regulation, to the contrary, the Superintendent of the Olympic National Park, located in the State of Washington, is authorized and directed to issue a ten-year, special use permit for the continued operation of Kamp Kiwanis by the Hoquiam Kiwanis Club and the Hoquiam Y.M.C.A. at the location described below within the boundary of the Olympic National Park:

A plot of land in Section 13, Township 23 N., Range 10 W., W.M. described as follows:

Beginning at an iron pipe which is on the section line and south 860 feet from the south 1/4 corner of Sections 14 and 13 in Township 23 north, Range 10 W., W.M.; thence north 13 1/2 degrees east 572 feet to an iron pipe; thence south 55 degrees east 319 feet to an iron pipe; thence south 16 degrees west 458 feet to an iron pipe; thence north 75 1/2 degrees west 277 feet to point of beginning, containing 3.43 acres, more or less; also a right-of-way for a pipeline from Higley Creek to the above area about 2,000 feet along the section line between Sections 13 and 14, T. 23N., Range 10 W., W.M.

GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (43 U.S.C. 31, 1332 and 1340); classify lands as to their mineral and water resources; give engineering supervision to

power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; [\$589,499,000] \$569,457,000, of which \$62,058,000 shall be available only for cooperation with States or municipalities for water resources investigations: *Provided*, That no part of this appropriation shall be used to pay more than one-half the cost of any topographic mapping or water resources investigations carried on in cooperation with any State or municipality.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the Geological Survey shall be available for purchase of not to exceed 26 passenger motor vehicles, for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Geological Survey appointed, as authorized by law, to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in Public Law 95-224: *Provided further*, That the Geological Survey (43 U.S.C. 31(a)) shall hereafter be designated the United States Geological Survey.

MINERALS MANAGEMENT SERVICE

LEASING AND ROYALTY MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; [\$208,090,000] \$199,614,000, of which not less than [\$66,784,000] \$66,574,000 shall be available for royalty management activities: *Provided*, That \$1,500,000 for computer acquisitions shall remain available until September 30, 1993: *Provided further*, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721 (b) and (d): *Provided further*, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, \$10,000 under this head shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due: *Provided further*, That notwithstanding any other provision of law, \$136,400,000 shall be deducted from Federal onshore mineral leasing receipts prior to the division and distribution of such receipts between the States and the Treasury and shall be credited to miscellaneous receipts of the Treasury.

BUREAU OF MINES

MINES AND MINERALS

For expenses necessary for conducting inquiries, technological investigations, and re-

search concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs; to foster and encourage private enterprise in the development of mineral resources and the prevention of waste in the mining, minerals, metal, and mineral reclamation industries; to inquire into the economic conditions affecting those industries; to promote health and safety in mines and the mineral industry through research; and for other related purposes as authorized by law, [\$175,890,000] \$172,349,000, of which [\$101,382,000] \$99,523,000 shall remain available until expended: *Provided*, That none of the funds in this or any other Act may be used for the closure or consolidation of any research centers or the sale of any of the helium facilities currently in operation.

ADMINISTRATIVE PROVISIONS

The Secretary is authorized to accept lands, buildings, equipment, other contributions and, heretofore and hereafter, fees to be deposited in the contributed funds account from public and private sources, and to prosecute projects using such contributions and fees in cooperation with other Federal, State or private agencies. *Provided*, That the Bureau of Mines is authorized, during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 15 passenger motor vehicles, of which 11 shall be for replacement only; [\$110,250,000] \$110,065,000 and notwithstanding 31 U.S.C. 3302, an additional amount, to remain available until expended, from performance bond forfeitures in fiscal year 1992: *Provided*, That notwithstanding any other provision of law, the Secretary of the Interior, pursuant to regulations, may utilize directly or through grants to States, moneys collected in fiscal year 1992 pursuant to the assessment of civil penalties under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further*, That notwithstanding any other provisions of law, appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training: *Provided further*, That notwithstanding the requirements of section 705 of Public Law 95-87 (30 U.S.C. 1295) appropriations herein shall be available to fund the full costs to the States to implement the Applicant Violator System in compliance with the January 24, 1990 Settlement Agreement between Save Our Cumberland Mountains, Inc. and Manuel Lujan, Jr., Secretary, United States Department of the Interior, et al.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out the provisions of title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 22 passenger motor

vehicles, of which 16 shall be for replacement only, [\$190,200,000] \$188,404,000 to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended of which, notwithstanding any other provision of law, the following amounts shall be available to carry out the various provisions of section 402(g) of Public Law 95-87, as amended (30 U.S.C. 1232 (g)): [\$130,000,000 to carry out section 402(g)(1) and 402(g)(5).] \$12,000,000 to carry out section 402(g)(2) [and \$48,200,000 to carry out sections 402(g)(3) and (4)]: *Provided*, That 23 full-time equivalent positions are to be maintained in the Anthracite Reclamation Program at the Wilkes-Barre Field Office: *Provided*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to utilize up to 20 per centum from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That of the funds made available to the States to contract for reclamation projects authorized in section 406(a) of Public Law 95-87, administrative expenses may not exceed 15 per centum: *Provided further*, That the Secretary of the Interior may deny 50 per centum of an Abandoned Mine Reclamation Fund grant, available to a State pursuant to title IV of Public Law 95-87, in accordance with the procedures set forth in section 521(b) of the Act, when the Secretary determines that a State is systematically failing to administer adequately the enforcement provisions of the approved State regulatory program. Funds will be denied until such time as the State and Office of Surface Mining Reclamation and Enforcement have agreed upon an explicit plan of action for correcting the enforcement deficiency. A State may enter into such agreement without admission of culpability. If a State enters into such agreement, the Secretary shall take no action pursuant to section 521(b) of the Act as long as the State is complying with the terms of the agreement.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, and grants including expenses necessary to provide [education and] welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including expenses in field offices, [\$1,283,630,000] \$801,089,000, [including \$302,025,000 for school operations costs of Bureau funded schools and other education programs which shall become available for obligation on July 1, 1992, and shall remain available for obligation until June 30, 1993, and of which funds obligated as grants to schools pursuant to Public Law 100-297 shall be made on July 1 and December 1 in lieu of the payments authorized to be made on October 1 and January 1 of each calendar year, and] of which not to exceed [\$74,912,000] \$18,392,000 for [higher education scholarships,] adult vocational training, [and assistance to public schools under the Act of April 16, 1934 (48

Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available for obligation until September 30, 1993; and the funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1992 as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.) [or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A)] shall remain available until expended by the contractor or grantee; and of which [\$2,021,000] \$3,021,000 for litigation support shall remain available until expended, [\$5,000,000] \$3,000,000 for self-governance tribal compacts shall be made available on completion and submission of such compacts to the Congress, and shall remain available until expended; and of which \$1,139,000 for expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531 (25 U.S.C. 640d-18(a)), shall remain available until expended: *Provided*, That none of the funds appropriated to the Bureau of Indian Affairs shall be expended as matching funds for programs funded under section 103(b)(2) of the Carl D. Perkins Vocational Education Act: *Provided further*, That \$200,000 of the funds made available in this Act shall be available for cyclical maintenance of tribally owned fish hatcheries and related facilities: *Provided further*, That none of the funds in this Act shall be used by the Bureau of Indian Affairs to transfer funds under a contract with any third party for the management of tribal or individual Indian trust funds until the funds held in trust for all such tribes or individuals have been audited and reconciled to the earliest possible date, the results of such reconciliation have been certified by an independent party as the most complete reconciliation of such funds possible, and the affected tribe or individual has been provided with an accounting of such funds: *Provided further*, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with the accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That \$300,000 of the amounts provided for education program management shall be available for a grant to the Close Up Foundation: *Provided further*, That not more than \$3,218,000 shall be made available for the Federal Financial System in fiscal year 1992: *Provided further*, That none of the funds provided in this Act may be used to prepare a reprogramming proposal to reorganize the Bureau of Indian Affairs until a task force consisting of tribal, Bureau and departmental representatives reviews any proposal to reorganize the Bureau and provides a final report to the Committees on Appropriations regarding consultation and a review of the proposal: *Provided further*, That none of the funds provided in this Act may be used to undertake a reorganization pursuant to 64 Stat. 1262 or any other provision of law: *Provided further*, That income received by the Bureau of Indian Affairs as a deduction from timber sale receipts shall remain available until expended: *Provided further*, That funds intended for the United Keetoowah Band of the Cherokee Indians shall be held in abeyance until such time as legislation is enacted addressing the status of the United Keetoowah Band: *Provided further*, That funds provided in this Act shall be used to continue the activities of the Task Force on Bureau of Indian Affairs Reorganization under its charter as adopted and amended on April 17, 1991: *Provided further*,

That any reorganization proposal shall not be implemented until the Task Force has reviewed and recommended its implementation to the Secretary and such proposal has been reported upon to the Committees on Appropriations.

INDIAN EDUCATION PROGRAMS

For the operation of Indian Education programs by direct expenditure, contracts, cooperative agreements, and grants including expenses necessary to provide education for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding schools, day schools, or institutions; maintenance of law and order, management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Office of Indian Education Programs (OIEP) 431,741,000, including \$302,025,000 for school operations costs of Bureau-funded schools which shall become available for obligation on July 1, 1992, and shall remain available for obligation until June 30, 1993, and of which, funds obligated as grants to schools pursuant to Public Law 100-297 shall be made on August 1 and December 1 in lieu of the payments authorized to be made on October 1 and January 1 of each calendar year; of which not to exceed \$56,520,000 for higher education scholarships and assistance to public schools the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available until September 30, 1993; and the funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1992 as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.) or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee: *Provided further*, That none of the funds appropriated to the Bureau of Indian Affairs shall be expended as matching funds for programs funded under section 103(b)(2) of the Carl D. Perkins Vocational Education Act: *Provided further*, That \$300,000 of the amounts provided for education program management shall be available for a grant to the Close Up Foundation.

CONSTRUCTION

(INCLUDING RESCISSION)

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands and interests in lands; preparation of lands for farming; maintenance of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, [\$219,856,000] \$107,010,000, to remain available until expended: *Provided*, That of the funds previously provided under this head for construction contract support, [\$7,000,000] \$3,000,000 is hereby rescinded: *Provided further*, That \$1,000,000 of the funds made available in this Act shall be available for rehabilitation of tribally owned fish hatcheries and related facilities: *Provided further*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau of Indian Affairs: *Provided further*, That none of the funds available to the Bureau of Indian Affairs in this or any other Act shall be used to transfer, through agreement, memorandum of un-

derstanding, demonstration project or other method, the Safety of Dams program of the Bureau of Indian Affairs to the Bureau of Reclamation: *Provided further*, That nothing herein shall prevent the Bureau of Indian Affairs or tribes from using, on a case-by-case basis, the technical expertise of the Bureau of Reclamation: *Provided further*, That none of the funds provided for the Safety of Dams program are available for transfer pursuant to sections 101 and 102 of this Act: *Provided further*, That funds appropriated for construction of the Wind River Indian Irrigation Project in fiscal year 1990 (Public Law 101-121), fiscal year 1991 (Public Law 101-512) and hereafter shall be made available on a non-reimbursable basis.

EDUCATION CONSTRUCTION

For construction, rehabilitation and repair of educational facilities, including acquisition of land, advance planning and design, and program management \$92,798,000, to remain available until expended.

MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals pursuant to Public Laws 98-500, 99-264, 100-590, 101-618, 101-602, 101-628, 101-486, and 100-585, including funds for necessary administrative expenses, \$87,617,000, to remain available until expended: *Provided*, That income earned on funds appropriated by Public Law 101-121, October 23, 1989, 103 Stat. 701, 715 for the purposes of section 6(b) of the Puyallup Tribe of Indians Settlement Act of 1989, Public Law 101-41, June 21, 1989, 103 Stat. 83, may be utilized by the Permanent Trust Fund Board of Trustees to secure necessary and appropriate financial, auditing, accounting, insurance and other administrative services to fulfill the Board of Trustees' fiduciary and administrative responsibilities: *Provided further*, That no more than 5 per centum of the income in any year may be utilized for such purposes: *Provided further*, That of the funds included for Public Law 101-602, \$12,000,000 shall be made available on September 30, 1992; of the funds included for Public Law 101-628, \$23,000,000 shall be made available on September 30, 1992; and of the funds included for Public Law 101-618, \$12,500,000 shall be made available on September 30, 1992].

NAVAJO REHABILITATION TRUST FUND

For Navajo tribal rehabilitation and improvement activities in accordance with the provisions of section 32(d) of Public Law 93-531, as amended (25 U.S.C. 640d-30), including necessary administrative expenses, \$4,000,000, to remain available until expended.

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

For payment of management and technical assistance requests associated with loans and grants approved under the Indian Financing Act of 1974, as amended, \$1,000,000.

INDIAN DIRECT LOAN PROGRAM ACCOUNT

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, including the cost of modifying loans, of expert assistance loans authorized by the Act of November 4, 1963, as amended, and the cost of direct loans authorized by the Indian Financing Act of 1974, as amended, \$3,039,000: *Provided*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$15,735,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$1,020,000, which may be transferred to and merged with the appropriations for Operation of Indian Programs to cover the common overhead expenses associated with implementing the Credit Reform Act of 1990.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, including the cost of modifying loans, of guaranteed loans authorized by the Indian Financing Act of 1974, as amended, \$8,512,000: *Provided*, That these funds are available to subsidize total loan principal any part of which is to be guaranteed not to exceed \$56,432,000.

In addition, for administrative expenses necessary to carry out the guaranteed loan program, \$1,020,000, which may be transferred to and merged with the appropriations for Operation of Indian Programs to cover the common overhead expenses associated with implementing the Credit Reform Act of 1990.

MISCELLANEOUS PERMANENT APPROPRIATIONS

Beginning October 1, 1991, and thereafter, amounts collected by the Secretary in connection with the Alaska Resupply Program (Public Law 77-457) shall be deposited into a special fund to be established in the Treasury, to be available to carry out the provisions of the Alaska Resupply Program, such amounts to remain available until expended: *Provided*, That unobligated balances of amounts collected in fiscal year 1991 and credited to the Operation of Indian Programs account as offsetting collections, shall be transferred and credited to this account.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, the Technical Assistance of Indian Enterprises account, the Indian Direct Loan Program account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 188 passenger carrying motor vehicles, of which not to exceed 147 shall be for replacement only.

TERRITORIAL AND INTERNATIONAL AFFAIRS
ADMINISTRATION OF TERRITORIES

For expenses necessary for the administration of territories under the jurisdiction of the Department of the Interior, [103,177,000] \$74,150,000, of which (1) [\$99,194,000] \$69,847,000 shall be available until expended for technical assistance, including maintenance assistance, drug interdiction and abuse prevention [and brown tree snake control and research]; late charges and payments of the annual interest rate differential required by the Federal Financing Bank, under terms of the second refinancing of an existing loan to the Guam Power Authority, as authorized by law (Public Law 98-454; 98 Stat. 1732); grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) [\$3,983,000] \$4,303,000 shall be available for salaries and expenses of the Office of Territorial and International Affairs: *Provided*, That the territorial and local governments herein provided for are authorized to make purchases through the General Services Administration: *Provided further*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or utilized by such governments, shall be audited by the General Accounting Office, in accordance with chapter 35 of title 31, United

States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99-396, except that should the Secretary of the Interior believe that the performance standards of such agreement are not being met, operations funds may be withheld, but only by Act of Congress as required by Public Law 99-396: *Provided further*, That \$1,025,000 of the amounts provided for technical assistance shall be available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations and maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets).

TRUST TERRITORY OF THE PACIFIC ISLANDS

For expenses necessary for the Department of the Interior in administration of the Trust Territory of the Pacific Islands pursuant to the Trusteeship Agreement approved by joint resolution of July 18, 1947 (61 Stat. 397), and the Act of June 30, 1954 (68 Stat. 330), as amended (90 Stat. 299; 91 Stat. 1159; 92 Stat. 495), and grants to the Trust Territory of the Pacific Islands, in addition to local revenues, for support of governmental functions; [\$27,951,000] \$22,451,000 to remain available until expended including \$17,651,000 for operations of the Government of Palau [to be expended as determined by the Government of Palau]: *Provided*, That all financial transactions of the Trust Territory, including such transactions of all agencies or instrumentalities established or utilized by such Trust Territory, shall be audited by the General Accounting Office in accordance with chapter 35 of title 31, United States Code: *Provided further*, That the government of the Trust Territory of the Pacific Islands is authorized to make purchases through the General Services Administration: *Provided further*, That all Government operations funds appropriated and obligated for the Republic of Palau under this account for fiscal year 1992, shall be credited as an offset against fiscal year 1992 payments made pursuant to the legislation approving the Palau Compact of Free Association (Public Law 99-658), if such Compact is implemented before October 1, 1992: *Provided further*, That not less than \$300,000 of the grants to the Republic of Palau, for support of governmental functions, shall be dedicated to the College of Micronesia in accordance with the agreement between the Micronesian entities.

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compacts of Free Association, [\$26,010,000] \$25,010,000, to remain available until expended, as authorized by Public Law

99-239: *Provided*, That the effective date of the Palau Compact for purposes of economic assistance pursuant to the Palau Compact of Free Association, Public Law 99-658, shall be the effective date of the Palau Compact as determined pursuant to section 101 of Public Law 101-219: *Provided further*, That the language in the third proviso under this head in Public Law 100-446 is amended by striking the word "Ejit" and inserting the word "Majuro" [: *Provided further*, That of the amount appropriated, \$2,000,000 shall be available ex gratia for the relocation and resettlement of the people of Rongelap on Rongelap Atoll: *Provided further*, That such sum shall be paid to a trustee selected by the Rongelap Atoll Local Government Council subject only to the disapproval of the Secretary of the Interior to be held in trust pursuant to the provisions of a trust agreement approved by the Rongelap Atoll Local Government Council subject only to the disapproval of the Secretary: *Provided further*, That such fund and the earnings and distribution therefrom shall not be subject to any form of Federal, State, or local taxation: *Provided further*, That the Secretary may approve expenditures of up to \$500,000 in fiscal year 1992 for projects on Mejjatto: *Provided further*, That the Government of the United States shall not be liable in any cause of action in law or equity from the administration and distribution of the trust funds: *Provided further*, That of the amount appropriated, \$1,000,000 shall be available for studies on Rongelap Atoll: *Provided further*, That \$2,000,000 shall be available on an ex gratia basis for the relocation and resettlement of the people of Rongelap on Rongelap Atoll: *Provided further*, That such funds shall remain available for deposit into a Rongelap Resettlement Trust Fund to be used by the people of Rongelap under the terms and conditions as set forth in a trust agreement or amendment thereto approved by the Rongelap Local Government Council subject only to the disapproval of the Secretary of the Interior: *Provided further*, That the Government of the Marshall Islands and the Rongelap Local Government Council shall provide for the creation of the Rongelap Resettlement Trust Fund to assist in the resettlement of Rongelap Atoll by the people of Rongelap, and the employment of the manager of the Rongelap fund established pursuant to the Section 177 Agreement (pursuant to section 177 of Public Law 99-239) as trustee and manager of the Rongelap Resettlement Trust Fund, or, should the manager of the Rongelap Trust not be acceptable to the people of Rongelap, another United States investment manager with substantial experience in the administration of trusts and with funds under management in excess of \$250,000,000: *Provided further*, That such funds shall be available only for costs directly associated with the resettlement of Rongelap by the people of Rongelap: *Provided further*, That such fund and the earnings and distribution therefrom shall not be subject to any form of Federal, State or local taxation: *Provided further*, That the Governments of the United States and the Trust Territory of the Pacific Islands shall not be liable in any cause of action in law or equity from the administration and distribution of the trust funds.

DEPARTMENTAL OFFICES
OFFICE OF THE SECRETARY
SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of the Interior, [\$66,414,000] \$58,428,000, of which not to exceed \$7,500 may

be for official reception and representation expenses.

**OFFICE OF THE SOLICITOR
SALARIES AND EXPENSES**

For necessary expenses of the Office of the Solicitor, [\$30,525,000] \$31,902,000.

**OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES**

For necessary expenses of the Office of Inspector General, [\$24,244,000] \$25,518,000.

**CONSTRUCTION MANAGEMENT
SALARIES AND EXPENSES**

For necessary expenses of the Office of Construction Management, \$2,243,000.

**NATIONAL INDIAN GAMING COMMISSION
SALARIES AND EXPENSES**

For necessary expenses of the National Indian Gaming Commission, pursuant to Public Law 100-497, [\$1,890,000, subject to authorization] \$2,490,000.

[OILSPILL EMERGENCY FUND]

[For necessary expenses for contingency planning, response, natural resource damage assessment and restoration activities related to any discharge of oil in waters of the United States upon a determination by the Secretary of the Interior that such funds are necessary for the protection or restoration of natural resources under his jurisdiction; \$3,900,000, which shall remain available until expended.]

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 11 aircraft, 7 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That no programs funded with appropriated funds in the "Office of the Secretary", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund or the Consolidated Working Fund.

**GENERAL PROVISIONS, DEPARTMENT OF
THE INTERIOR**

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the *Balanced Budget and Emergency Deficit Control Act of 1985* and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; response

and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to the "Emergency Department of the Interior Firefighting Fund" shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the *Balanced Budget and Emergency Deficit Control Act of 1985* and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, U.S.C.: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued by the General Services Administration for services or rentals for periods not in excess of twelve

months beginning at any time during the fiscal year.

SEC. 107. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance changing the name of the mountain located 63 degrees, 04 minutes, 15 seconds west, presently named and referred to as Mount McKinley.]

SEC. [108] 107. Notwithstanding any other provisions of law, in fiscal year 1992 and thereafter, appropriations in this title shall be available to provide insurance on official motor vehicles, aircraft, and boats operated by the Department of the Interior in Canada and Mexico.

SEC. [109] 108. No funds provided in this title may be used to detail any employee to an organization unless such detail is in accordance with Office of Personnel Management regulations.

SEC. [110] 109. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of Northern, Central, and Southern California; the North Atlantic; Washington and Oregon; and the Eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. [111] 110. No funds provided in this title may be expended by the Department of the Interior for the conduct of leasing, or the approval or permitting of any drilling or other exploration activity, on lands within the North Aleutian Basin planning area.

SEC. [112] 111. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Eastern Gulf of Mexico for Outer Continental Shelf Lease Sale 137 or for Sale 151 in the February 1991 draft proposal for the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992-1997.

SEC. [113] 112. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Atlantic for Outer Continental Shelf Lease Sale 145 in the February 1991 draft proposal for the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992-1997.

SEC. [114] 113. None of the funds made available by this Act may be used for the implementation or financing of agreements or arrangements with entities for the management of all lands, waters, and interests therein on Matagorda Island, Texas, which were purchased by the Department of the Interior with federally appropriated amounts from the Land and Water Conservation Fund.

SEC. [115] 114. The provision of section [114] 113 shall not apply if the transfer of management or control is ratified by law.

SEC. [116] 115. Notwithstanding any other provision of law, in fiscal year 1992 and thereafter, any appropriations or funds available to the Department of the Interior in this Act may be used to provide nonmonetary awards of nominal value to private individuals and organizations that make contributions to Department of the Interior programs.

SEC. [117] 116. Appropriations under this title in fiscal year 1992 and thereafter, may be made available for paying costs incidental to the utilization of services contributed by individuals who serve without compensation as volunteers in aid of work for units of the Department of the Interior.

TITLE II—RELATED AGENCIES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE
FOREST RESEARCH

For necessary expenses of forest research as authorized by law, **[\$183,572,000]** \$176,850,000 to remain available until September 30, 1993.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with, and providing technical and financial assistance to States, Territories, possessions, and others; and for forest pest management activities, **[\$205,041,000]** \$193,332,000, to remain available until expended, as authorized by law: *Provided, That a grant of \$4,500,000 shall be available to Mercer County, West Virginia for the construction and equipping of a hardwood training and a flexible manufacturing center: Provided further, That \$250,000 is available for the Center for Snow Science at Alta, Utah: Provided further, That \$5,000,000 shall be available for the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, subject to the passage of authorizing legislation: Provided further, That outlays for the Foundation shall not exceed \$1,000,000 in fiscal year 1992.*

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for administrative expenses associated with the management of funds provided under the heads "Forest Research", "State and Private Forestry", "National Forest System", "Construction", "Forest Service Firefighting", and "Land Acquisition", **[\$1,280,947,000]** \$1,379,205,000 to remain available for obligation until September 30, 1993, including \$30,968,000 for wilderness management, and including 65 per centum of all monies received during the prior fiscal year as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601-6a(1)): *Provided, That unobligated and unexpended balances in the National Forest System account at the end of fiscal year 1991, shall be merged with and made a part of the fiscal year 1992 National Forest System appropriation, and shall remain available for obligation until September 30, 1993: Provided, That timber volume authorized or scheduled for sale during fiscal year 1991, but which remains unsold at the end of fiscal year 1991 shall be offered for sale during fiscal year 1992 in addition to the fiscal year 1992 timber sale volume directed by this Act: Provided further, That up to \$5,000,000 of the funds provided herein for road maintenance shall be available for the planned obliteration of roads which are no longer needed: Provided further, That none of the funds provided in this or any other Act shall be used to establish a timber sales offer volume different from that stated in the Committee report accompanying this legislation, without the advance approval of the Committee.*

FOREST SERVICE FIREFIGHTING

For necessary expenses for firefighting on or adjacent to National Forest System lands or other lands under fire protection agreement, and for forest fire management and suppression, and emergency operations on, and the emergency rehabilitation of, National Forest System lands, **[\$189,803,000]** \$302,203,000, to remain available until expended: *Provided, That such funds are also to be available for repayment of advances to other appropriation accounts from which funds were previously transferred for such*

purposes: Provided further, That any funds needed for emergency firefighting above the amount of \$112,000,000 shall be designated to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCY FOREST SERVICE FIREFIGHTING FUND

[For the purpose of establishing an "Emergency Forest Service Firefighting Fund" in the Treasury of the United States to be available only for emergency rehabilitation and wildfire suppression activities of the Forest Service, \$112,000,000, to remain available until expended: Provided, That all funds available under this head are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That funds appropriated under this head shall be made available only after submission to Congress of a formal budget request by the President that includes a designation of the entire amount of the request as an "emergency requirement" for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That all funds included in any budget request made pursuant to this paragraph shall be made available one day after submission to Congress: Provided further, That notwithstanding any other provision of law, enactment of this section shall not constitute a change in concept or definition under section 251(b)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall not cause a negative budget authority or outlay adjustment to be made to any discretionary spending limit for the domestic category established by Public Law 101-508.]

CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, for construction, **[\$350,420,000]** \$265,545,000, to remain available until expended, of which **[\$78,607,000]** \$78,272,000 is for construction and acquisition of buildings and other facilities; and **[\$271,813,000]** \$187,273,000 is for construction and repair of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205: *Provided, That funds becoming available in fiscal year 1992 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury of the United States: Provided further, That not to exceed \$113,000,000 \$120,000,000, to remain available until expended, may be obligated for the construction of forest roads by timber purchasers: Provided further, That \$5,000,000 of the funds provided herein for road repairs shall be available for the planned obliteration of roads which are no longer needed.]*

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, **[\$90,735,000]** \$84,210,000, to be derived from the Land and Water Conservation Fund, to remain available until expended: *Provided, That \$6,000,000 shall be available for necessary expenses of the Forest Legacy Program, as authorized by section 1217 of Public Law 101-624, the Food, Agriculture, Conservation and Trade Act of 1990: Provided further, That the Forest Service shall not, under authority provided by this section, enter into any commitment to fund the purchase of interests in lands, the purchase*

of which would exceed the level of appropriations provided by this section: Provided further, That the Forest Service shall make a grant of \$633,000 to the City of Missoula, Montana, from funds appropriated by Public Law 101-512 for direct acquisition of property known as Rattlesnake Greenway and currently under option to the City of Missoula, Montana: Provided further, That no funds shall be available to purchase Special Improvement District permits and any remaining funds shall be available to acquire additional properties for recreation and open space in the same vicinity.

ACQUISITION OF LANDS FOR NATIONAL FORESTS

SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, \$1,148,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 per centum of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the sixteen Western States, pursuant to section 401(b)(1) of Public Law 94-579, as amended, to remain available until expended, of which not to exceed 6 per centum shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), \$97,000 to remain available until expended, to be derived from the fund established pursuant to the above Act.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 207 passenger motor vehicles of which 17 will be used primarily for law enforcement purposes and of which 176 shall be for replacement only, of which acquisition of 137 passenger motor vehicles shall be from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed two for replacement only, and acquisition of 68 aircraft from excess sources; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (b) services pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (c) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (d) acquisition of land, waters, and interests therein, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to

change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, or National Forest System administration of the Forest Service, Department of Agriculture, without the consent of the House and Senate Committees on Appropriations and the Committee on Agriculture, Nutrition, and Forestry in the United States Senate and the Committee on Agriculture in the United States House of Representatives.

Any appropriations or funds available to the Forest Service may be advanced to the Forest Service Firefighting appropriation and may be used for forest firefighting and the emergency rehabilitation of burned-over lands under its jurisdiction: *Provided*, That no funds shall be made available under this authority until funds appropriated to the "Emergency Forest Service Firefighting Fund" shall have been exhausted.]

The appropriation structure for the Forest Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service may be used to reimburse employees for the cost of State licenses and certification fees pursuant to their Forest Service position and that are necessary to comply with State laws, regulations, and requirements.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Office of International Cooperation and Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

All funds received for timber salvage sales may be credited to the Forest Service Permanent Appropriations to be expended for timber salvage sales from any national forest, and for timber sales preparation to replace sales lost to fire or other causes, and sales preparation to replace sales inventory on the shelf for any national forest to a level sufficient to maintain new sales availability equal to a rolling five-year average of the total sales offerings, and for design, engineering, and supervision of construction of roads lost to fire or other causes associated with the timber sales programs described above: *Provided*, That notwithstanding any other provision of law, moneys received from the timber salvage sales program in fiscal year 1992 shall be considered as money received for purposes of computing and distributing 25 per centum payments to local governments under 16 U.S.C. 500, as amended.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 99-714.

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Notwithstanding any other provision of law, any appropriations or funds available to

the Forest Service may be used to disseminate program information to private and public individuals and organizations through the use of nonmonetary items of nominal value and to provide nonmonetary awards of nominal value and to incur necessary expenses for the nonmonetary recognition of private individuals and organizations that make contributions to Forest Service programs.

Notwithstanding any other provision of law, money collected, in advance or otherwise, by the Forest Service under authority of section 101 of Public Law 93-153 (30 U.S.C. 185(1)) as reimbursement of administrative and other costs incurred in processing pipeline right-of-way or permit applications and for costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities, may be used to reimburse the applicable appropriation to which such costs were originally charged.

Funds available to the Forest Service shall be available to conduct a program of not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408.

Notwithstanding the provisions of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301-6308), the Forest Service is authorized hereafter to negotiate and enter into cooperative arrangements with public and private agencies, organizations, institutions, and individuals to print educational materials and to continue the Challenge Cost-Share Program.

[None of the funds available in this Act shall be used for timber sale preparation using clearcutting or other forms of even-age management in hardwood stands in the Shawnee National Forest, Illinois: *Provided*, That none of the funds available in this Act shall be used to administer timber sales, including timber sales under contracts entered into prior to fiscal year 1992, which involve clear cutting or other forms of even-age management.

[None of the funds available in this Act shall be used for timber sale preparation using clearcutting in hardwood stands in excess of 25 percent of the fiscal year 1989 harvested volume in the Wayne National Forest, Ohio: *Provided*, That this limitation shall not apply to hardwood stands damaged by natural disaster: *Provided further*, That landscape architects shall be used to maintain a visually pleasing forest.]

None of the funds made available to the Forest Service in this Act shall be expended for the purpose of issuing a special use authorization permitting land use and occupancy and surface disturbing activities for any project to be constructed on Lewis Fork Creek in Madera County, California, at the site above, and adjacent to, Corlieu Falls bordering the Lewis Fork Creek National Recreation Trail until the studies required in Public Law 100-202 have been submitted to the Congress: *Provided*, That any special use authorization shall not be executed prior to the expiration of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt of the required studies by the Speaker of the House of Representatives and the President of the Senate.

[None of the funds made available to the Forest Service in this Act shall be expended

for the purpose of issuing a special use authorization permitting land use and occupancy and surface disturbing activities for any project to be constructed on Rock Creek, Madera County, California.]

Any money collected from the States for fire suppression assistance rendered by the Forest Service on non-Federal lands not in the vicinity of National Forest System lands shall be used to reimburse the applicable appropriation and shall remain available until expended as the Secretary may direct in conducting activities authorized by 16 U.S.C. 2101 (note), 2101-2110, 1606, and 2111.

Of the funds available to the Forest Service, \$1,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Notwithstanding any other provision of law, the Forest Service is authorized to employ or otherwise contract with persons at regular rates of pay, as determined by the Service, to perform work occasioned by emergencies such as fires, storms, floods, earthquakes or any other unavoidable cause without regard to Sundays, Federal holidays, and the regular workweek.

[The Forest Service shall conduct a below cost timber sales test on the Shawnee National Forest in Illinois in fiscal year 1992.]

In fiscal year 1992, the Forest Service is directed to offer for sale new timber volumes in the following regions—Region 1, 940 million board feet; Region 2, 340 million board feet; Region 3, 375 million board feet; Region 4, 345 million board feet; Region 5, 1.3 billion board feet; Region 6, 3 billion board feet; Region 8, 1.1 billion board feet; Region 9, 800 million board feet; and Region 10, 450 million board feet.

In fiscal year 1992, the Forest Service shall prepare timber sales for offering in future years by conducting the necessary environmental documentation (Gate 2) and by conducting field activities and appraisal activities so that the sale is ready for advertisement: *Provided*, That in fiscal year 1992 the Forest Service is directed to prepare sales volume through Gate 2 totaling 8.42 billion board feet, distributed as follows—Region 1, 800 million board feet; Region 2, 375 million board feet; Region 3, 410 million board feet; Region 4, 410 million board feet; Region 5, 1.2 billion board feet; Region 6, 2.275 billion board feet; Region 8, 1.1 billion board feet; Region 9, 850 million board feet; Region 10, 1 billion board feet: *Provided further*, That in fiscal year 1992 the Forest Service is directed to prepare sales volume through Gate 3 totaling 5.965 billion board feet, distributed as follows—Region 1, 740 million board feet; Region 2, 320 million board feet; Region 3, 300 million board feet; Region 4, 345 million board feet; Region 5, 1 billion board feet; Region 6, 1.27 billion board feet; Region 8, 900 million board feet; Region 9, 690 million board feet; Region 10, 400 million board feet.

Notwithstanding any other provision of law, funds allocated by the Forest Service to a specific national forest in fiscal year 1993 for National Forest System trail construction; trail maintenance; wildlife and fish habitat management; soil, water, and air management; cultural resource management; wilderness management; reforestation and timber stand improvement; timber sale administration and management including all timber support costs shall be increased by 10 per centum on October 1, 1992 if the specific national forest attains the timber sale offer volume and timber pipeline preparation volume directed in fiscal year 1992: *Provided*, That these funds shall be made available in fiscal year 1993 from fiscal year 1992 timber receipts returned to the Federal Treasury and shall be available until expended: *Provided further*, That these funds are in addition to any

other funds appropriated for these activities and can be merged into regular appropriated accounts.

Notwithstanding any other provision of law, the payment, from fiscal year 1992 receipts, to the State of South Carolina pursuant to the Act of May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (36 Stat. 963, chapter 186; 16 U.S.C. 500) for the Francis Marion National Forest, which was affected by Hurricane Hugo in September 1989, shall be not less than 90 per centum of the average annual payment made to the State, based on receipts collected on the Forest during the 4-year baseline period of fiscal years 1986 through 1989.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

[Projects selected pursuant to the fifth general request for proposals to be issued not later than March 1, 1992.] Notwithstanding the issuance date for the fifth general request for proposals under this head in Public Law 101-512, such request for proposals shall be issued on August 10, 1992: Provided, that a sixth general request for proposals shall be issued not later than February 1, 1994: Provided further, That funding for the sixth general request for proposals shall be provided from unobligated balances from prior appropriations under this head: Provided further, That the Secretary shall, not later than November 1, 1993, report to the President of the Senate and the Speaker of the House of Representatives on the amount of such funds which are available for the sixth general request for proposals: Provided further, That such general requests for proposals shall be subject to all provisos contained under this head in previous appropriations Acts unless amended by this Act.

Notwithstanding the provisos under this head in previous appropriations Acts, projects selected pursuant to the fifth [general request] and sixth general requests for proposals shall advance significantly the efficiency and environmental performance of coal-using technologies and be applicable to either new or existing facilities: Provided, That budget periods may be used in lieu of design, construction, and operating phases for cost-sharing calculations: Provided further, That the Secretary shall not finance more than 50 per centum of the total costs of any budget period: Provided further, That project specific development activities for process performance definition, component design verification, materials selection, and evaluation of alternative designs may be funded on a cost-shared basis up to a limit of 10 per centum of the Government's share of project cost: Provided further, That development activities eligible for cost-sharing may include limited modifications to existing facilities for project related testing but do not include construction of new facilities.

With regard to funds made available under this head in this and previous appropriations Acts, unobligated balances excess to the needs of the procurement for which they originally were made available may be applied to other procurements: (1) for use on projects for which cooperative agreements are in place, within the limitations and proportions of Government financing increases currently allowed by law [, or (2) for which requests for proposals have not yet been issued]: Provided, That hereafter, the Department of Energy, for a period of up to five years after completion of the operations phase of a cooperative agreement may provide appropriate protections, including exemptions from subchapter II of chapter 5 of title 5, United States Code, against the dissemination of information that results from

demonstration activities conducted under the Clean Coal Technology Program and that would be a trade secret or commercial or financial information that is privileged or confidential if the information had been obtained from and first produced by a non-Federal party participating in a Clean Coal Technology project: Provided further, That hereafter, in addition to the full-time permanent Federal employees specified in section 303 of Public Law 97-257, as amended, no less than 90 full-time Federal employees shall be assigned to the Assistant Secretary for Fossil Energy for carrying out the programs under this head using funds available under this head in this and any other appropriations Act and of which not less than 35 shall be for PETC and not less than 30 shall be for METC: Provided further, That hereafter reports on projects selected by the Secretary of Energy pursuant to authority granted under this heading which are received by the Speaker of the House of Representatives and the President of the Senate less than 30 legislative days prior to the end of each session of Congress shall be deemed to have met the criteria in the third proviso of the fourth paragraph under the heading "Administrative provisions, Department of Energy" in the Department of the Interior and Related Agencies Appropriations Act, 1986, as contained in Public Law 99-190, upon expiration of 30 calendar days from receipt of the report by the Speaker of the House of Representatives and the President of the Senate or at the end of the session, whichever occurs later.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT (INCLUDING RESCISSION)

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, [\$453,989,000] \$454,015,000, to remain available until expended, of which [\$438,000] \$278,000 is for the functions of the Office of the Federal Inspector for the Alaska Natural Gas Transportation System established pursuant to the authority of Public Law 94-586 (90 Stat. 2908-2909) and of which \$3,100,000 is available for the fuels program: Provided further, That none of the funds made available under this head may be managed by any individual who is not subject to the "employment floor" provisions in Public Law 97-257 as amended or, in the alternate, who is not the Acting Assistant Secretary for Fossil Energy: Provided further, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

Of the funds provided herein, \$2,000,000 shall be available for a grant for the National Research Center for Coal and Energy, and \$1,500,000 shall be for a grant to be matched on an equal basis from other sources for the University of North Dakota Energy and Environmental Research Center.

Of the funds herein provided [, \$40,800,000] is for implementation of the June 1984 multiyear, cost-shared magnetohydrodynamics program targeted on proof-of-concept testing: Provided, That [35] 40 per centum private sector cash or in-kind contributions shall be required for obligations in fiscal year 1992, and for each subsequent fiscal year's obligations private sector contributions shall increase by 5 per centum over the life of the proof-of-concept plan: Provided further, That existing facilities, equipment, and supplies, or previously expended research or

development funds are not cost-sharing for the purposes of this appropriation, except as amortized, depreciated, or expended in normal business practice: Provided further, That cost-sharing shall not be required for the costs of constructing or operating Government-owned facilities or for the costs of Government organizations, National Laboratories, or universities and such costs shall not be used in calculating the required percentage for private sector contributions: Provided further, That private sector contribution percentages need not be met on each contract but must be met in total for each fiscal year.

Funds in the amount of \$8,000,000 provided under this head in Public Law 101-512 to initiate a ten-year industry/government cooperative agreement to design, construct, and operate a proof-of-concept oil shale facility employing modified in-situ retorting and surface processing of mined shale and waste at Federal Prototype Oil Shale Lease Tract Cb near Meeker, Colorado, are rescinded.

ALTERNATIVE FUELS PRODUCTION (INCLUDING TRANSFER OF FUNDS)

Monies received as investment income on the principal amount in the Great Plains Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1991, shall be deposited in this account and immediately transferred to the General Fund of the Treasury. Monies received as revenue sharing from the operation of the Great Plains Gasification Plant shall be immediately transferred to the General Fund of the Treasury: Provided, That the Department of Energy may not agree to modifications to the Great Plains Project Trust Agreement, dated October 31, 1988, that are not consistent with the following criteria: (1) for the purpose of financing a sulfur control technology project using Government contributions from the Trust, the cost of such project shall not include costs of plant downtime or outages; (2) the Government contribution to such project shall not exceed 50 per centum of the amount of remaining project costs after the disbursement of funds from the Environmental Account established in section 2(b) of the Trust Agreement, shall be in the form of a loan, and shall not exceed \$30,000,000; (3) [no disbursements from either the Reserve Account established in section 2(b) of the Trust Agreement or the Environmental Account shall be made without written assurance from the Environmental Protection Agency that the project technology is proper and that more restrictive emissions constraints over those in current permits will not be imposed] a report shall have been submitted by the Secretary of Energy not later than March 1, 1992 commenting on the adequacy and cost effectiveness of the proposed environmental control measures in satisfying such environmental emissions requirements as may exist and commenting on what further assistance, if any, is to be provided to the project; and (4) repayment of any loan shall be from revenues not already due the Government as part of the Asset Purchase Agreement, dated October 7, 1988, and at least in proportion to the Government contribution to the costs of the project net of the disbursement from the Environmental Account for any increased revenues or profits realized as a result of the sulfur control project.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For necessary expenses in carrying out naval petroleum and oil shale reserve activities, [\$238,200,000] \$222,300,000, to remain available until expended.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, [\$559,661,000] \$526,084,000, to remain available until expended, including, notwithstanding any other provision of law, the excess amount for fiscal year 1992 determined under the provisions of section 3003(d) of Public Law 99-509 (15 U.S.C. 4502): *Provided*, That [\$247,893,000] \$220,150,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99-509 (15 U.S.C. 4507) and shall not be available until excess amounts are determined under the provisions of section 3003(d) of Public Law 99-509 (15 U.S.C. 4502): *Provided further*, That notwithstanding section 3003(d)(2) of Public Law 99-509 such sums shall be allocated to the eligible programs in the same proportion for each program as in fiscal year 1991: *Provided further*, That of the sums for weatherization assistance for low-income persons, \$3,000,000 shall be for the incentive program authorized by section 415d of the Energy Conservation and Production Act, as amended by Public Law 101-440: *Provided further*, That [\$3,000,000] \$1,500,000 of the amount under this heading shall be for metal casting research consistent with the provisions of Public Law 101-425: *Provided further*, That \$1,500,000 of the amount provided under this head shall be available for a grant to the National Center for Alternate Transportation Fuels: *Provided further*, That \$5,000,000 of the amount provided under this head, and such amounts as may be provided hereafter in appropriations Acts, shall be available to continue a contract funded in Public Law 101-512 for the development of an Integrated Management Information System for the steel industry, and the government's share of the cost of such project shall not exceed 50 per centum using the same criteria for acceptance of contributions as for steel and aluminum research below: *Provided further*, That [\$17,968,000] \$17,967,000 of the amount provided under this heading shall be available for continuing research and development efforts begun under title II of the Interior and Related Agencies portion of the joint resolution entitled "Joint Resolution making further continuing appropriations for the fiscal year 1986, and for other purposes", approved December 19, 1985 (Public Law 99-190), and implementation of steel and aluminum research authorized by Public Law 100-680: *Provided further*, That existing facilities, equipment, and supplies, or previously expended research or development funds are not accepted as contributions for the purposes of this appropriation, except as amortized, depreciated, or expensed in normal business practice: *Provided further*, That the total Federal expenditure under this proviso shall be repaid up to one and one-half times from the proceeds of the commercial sale, lease, manufacture, or use of technologies developed under this proviso, at a rate of one-fourth of all net proceeds: *Provided further*, That up to \$27,000,000 of the amount provided under this head is for electric and hybrid vehicle battery research to be conducted on a cooperative basis with non-Federal entities, such amounts to be available only as matched on an equal basis by such entities: *Provided further*, That section 303 of Public Law 97-257 is further amended by changing the number for the Office of the Assistant Secretary for Conservation and Renewables from "352" to "397".

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Economic Regulatory Administration and the Office of Hearings and

Appeals, [\$15,114,000] \$14,428,000, to remain available until expended.

EMERGENCY PREPAREDNESS

For necessary expenses in carrying out emergency preparedness activities, \$8,300,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), \$185,858,000, to remain available until expended, including \$122,685,000 to be derived by transfer from funds deposited in the "SPR petroleum account" as a result of the test sale of the Strategic Petroleum Reserve begun on September 26, 1990, as authorized under 42 U.S.C. 6241(g)(1): *Provided*, That the provisions of 42 U.S.C. 6241(g)(6)(B) shall not apply to the use of these funds: *Provided further*, That appropriations herein made shall not be available for leasing of facilities for the storage of crude oil for the Strategic Petroleum Reserve unless the quantity of oil stored in or deliverable to Government-owned storage facilities by virtue of contractual obligations is equal to [750,000,000] 700,000,000 barrels.

SPR PETROLEUM ACCOUNT

For the acquisition and transportation of petroleum and for other necessary expenses as authorized under 42 U.S.C. 6247, [\$203,000,000] \$243,000,000, to remain available until expended: *Provided*, That notwithstanding 42 U.S.C. 6240(d) the United States share of crude oil in Naval Petroleum Reserve Numbered 1 (Elk Hills) may be sold or otherwise disposed of to other than the Strategic Petroleum Reserve: *Provided further*, That no funds made available by this or any other Act may be used for leasing, exchanging, or otherwise acquiring except by direct purchase crude oil from a foreign government, a foreign State-owned oil company, or an agent of either, except pursuant to the procedures of section 174, part C, title I of the Energy Policy and Conservation Act (42 U.S.C. 6211 et seq.), as contained in section 6 of Public Law 101-383: *Provided further*, That the Secretary of Energy may contract, without regard to sections 171(b)(2)(B) and 173 of the Energy Policy and Conservation Act (42 U.S.C. 6249(b)(2)(B) and 6249b), or to the restrictions which title II of Public Law 101-512 imposes on the leasing of crude oil, for storage in the Strategic Petroleum Reserve of crude oil owned by one or more foreign governments, or their state-owned oil companies, or agents of either: *Provided further*, That the running of the 12 month period described in section 161(g)(6)(B) of the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6241(g)(6)(B)), shall be suspended during fiscal year 1992: *Provided further*, That outlays in fiscal year 1992 resulting from the use of funds in this account other than those deposited as a result of a test sale or drawdown of the Reserve shall not exceed [\$139,000,000] \$144,000,000.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, [\$77,908,000] \$77,073,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair,

and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private, or foreign: *Provided*, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: *Provided further*, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

The Secretary of Energy may transfer to the Emergency Preparedness appropriation such funds as are necessary to meet any unforeseen emergency needs from any funds available to the Department of Energy from this Act.

Notwithstanding any other provision of law, the Secretary of Energy may enter into a contract, agreement, or arrangement, including, but not limited to, a Management and Operating Contract as defined in the Federal Acquisition Regulations (17.601), with a profit-making or non-profit entity to conduct activities at the Department of Energy's research facilities at Bartlesville, Oklahoma.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles III and XXVI and section 208 of the Public Health Service Act with respect to the Indian Health Service, including hire of passenger motor vehicles and aircraft; purchase of reprints; purchase and erection of portable buildings; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; [\$1,432,712,000] \$1,489,091,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 300aaa-2 for services furnished by the Indian Health Service: *Provided*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Develop-

ment to the Indian Health Service shall be administered under Public Law 86-121 (the Indian Sanitation Facilities Act): *Provided further*, That funds made available to tribes and tribal organizations through grants and contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That \$12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further*, That [\$294,551,000] \$296,311,000 for contract medical care shall remain available for expenditure until September 30, 1993: *Provided further*, That of the funds provided, not less than \$5,990,000 shall be used to carry out a loan repayment program under which Federal, State, and commercial-type educational loans for physicians and other health professionals will be repaid at a rate not to exceed \$35,000 per year of obligated service in return for full-time clinical service: *Provided further*, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall be available for two fiscal years after the fiscal year in which they were collected, for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): *Provided further*, That of the funds provided, \$2,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transitional costs of initial or expanded tribal contracts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act: *Provided further*, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for expenditure until September 30, 1993: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act and Public Law 100-713 shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.

INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of portable buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act and the Indian Health Care Improvement Act, [\$295,211,000] \$202,068,000 to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: *Provided*

further, That the Secretary of Health and Human Services may accept ownership of the buildings offered at no cost by the Standing Rock Sioux Tribe for use solely as the Aberdeen Area's Youth Regional Treatment Center, and may use funds appropriated to the Indian Health Service to renovate the buildings for that purpose.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376, and for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902), and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: *Provided*, That no later than 30 days after the end of each quarter of the fiscal year, the Indian Health Service is to report to the Committees on Appropriations of the United States House of Representatives and the United States Senate on any proposed adjustments to existing leases involving additional space or proposed additional leases for permanent structures to be used in the delivery of Indian health care services: *Provided further*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Services facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651-53) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That with the exception of Indian Health Service units which currently have a billing policy, the Indian Health Service shall not initiate any further action to bill Indians in order to collect from third-party payers nor to charge those Indians who may have the economic means to pay unless and until such time as Congress has agreed upon a specific policy to do so and has directed the Indian Health Service to implement such a policy: *Provided further*, That personnel ceilings may not be imposed on the Indian Health Service nor may any action be taken to reduce the full-time equivalent level of the Indian Health Service by the elimination of temporary employees by reduction in force, hiring freeze or any other means without the review and approval of the Committees on Appropriations: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation struc-

ture set forth in this Act: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without the advance approval of the House and Senate Committees on Appropriations.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, the Indian Education Act of 1988, [\$77,547,000] \$77,400,000, of which \$57,692,000 shall be for subpart 1 and \$16,596,000 shall be for subparts 2 and 3: *Provided*, That \$1,570,000 available pursuant to section 5323 of the Act shall remain available for obligation until September 30, 1993.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93-531, [\$31,634,000] \$30,572,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE

CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by Public Law 99-498, as amended (20 U.S.C. 56, part A), [\$8,187,000] \$6,087,000, of which not to exceed [\$350,000] \$300,000 for Federal matching contributions, to remain available until expended, shall be paid to the Institute endowment fund: *Provided*, That notwithstanding any other provision of law, the annual budget proposal and justification for the Institute shall be submitted to the Congress concurrently with the submission of the President's Budget to the Congress: *Provided further*, That the Institute shall act as its own certifying officer.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and

museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed thirty years), and protection of buildings, facilities, and approaches; not to exceed \$100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; [\$286,269,000] \$281,074,000, of which not to exceed [\$26,679,000] \$25,229,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, and the repatriation of skeletal remains program shall remain available until expended and, including such funds as may be necessary to support American overseas research centers and a total of \$125,000 for the Council of American Overseas Research Centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: *Provided further*, That none of the funds appropriated herein shall be made available for acquisition of land at the Smithsonian Environmental Research Center before the date of the enactment of an Act authorizing the use of funds for that purpose.

MUSEUM PROGRAMS AND RELATED RESEARCH (SPECIAL FOREIGN CURRENCY PROGRAM)

Funds previously appropriated in this account for the American Institute of Indian Studies Forward Funded Reserve may be invested in India by the United States Embassy in India in interest bearing accounts with the interest to be used along with other funds in the account to support the ongoing programs of the American Institute of Indian Studies.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, \$8,000,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed \$10,000 for services as authorized by 5 U.S.C. 3109, [\$27,710,000] \$24,700,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, [\$20,100,000] \$19,350,000, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be made available for construction of the East Court Building project, National Museum of Natural History before the date of the enactment of an Act authorizing the use of funds for that purpose.

NATIONAL GALLERY OF ART SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and admin-

istrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; purchase of one passenger motor vehicle for replacement only; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, [\$48,236,000] \$49,900,000, of which not to exceed [\$2,870,000] \$3,370,000, for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized [\$6,850,000] \$3,600,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, [\$5,819,000] \$5,744,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and Humanities Act of 1965, as amended, [\$147,700,000] \$143,583,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act, and for administering the functions of the Act.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$30,500,000, to remain available until September 30, 1993 to the National Endowment for the Arts, of which \$13,000,000 shall be available for purposes of section 5(l): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment

under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, [\$153,150,000] \$144,550,000 shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, of which [\$8,200,000] \$1,600,000 for the Office of Preservation shall remain available until September 30, 1993.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, [\$25,050,000] \$30,450,000, to remain available until September 30, 1993, of which [\$12,050,000] \$16,050,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM SERVICES GRANTS AND ADMINISTRATION

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, \$27,344,000, including not to exceed \$250,000 as authorized by 20 U.S.C. 965(b).

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

COMMISSION OF FINE ARTS SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$722,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (99 Stat. 1261; 20 U.S.C. 956a), as amended, \$7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing an Advisory Council on Historic Preservation, Public Law 89-665, as amended, \$2,623,000: *Provided*, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-711), including services as authorized by 5 U.S.C. 3109, [\$4,500,000] \$5,000,000.

FRANKLIN DELANO ROOSEVELT MEMORIAL
COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), \$33,000, to remain available until September 30, 1993.

PENNSYLVANIA AVENUE DEVELOPMENT
CORPORATION

SALARIES AND EXPENSES

For necessary expenses, as authorized by section 17(a) of Public Law 92-578, as amended, \$2,807,000, for operating and administrative expenses of the Corporation.

PUBLIC DEVELOPMENT

For public development activities and projects in accordance with the development plan as authorized by section 17(b) of Public Law 92-578, as amended, [\$4,491,000] \$5,026,000, to remain available until expended.

UNITED STATES HOLOCAUST MEMORIAL
COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388, as amended, [\$10,605,000] \$7,300,000: *Provided*, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: *Provided*, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. None of the funds provided in this Act shall be used to evaluate, consider, process, or award oil, gas, or geothermal leases on Federal lands in the Mount Baker-Snoqualmie National Forest, State of Washington, within the hydrographic boundaries of the Cedar River municipal watershed upstream of river mile 21.6, the Green River municipal watershed upstream of river mile

61.0, the North Fork of the Tolt River proposed municipal watershed upstream of river mile 11.7, and the South Fork Tolt River municipal watershed upstream of river mile 8.4.

SEC. 307. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 308. Employment funded by this Act shall not be subject to any personnel ceiling or other personnel restriction for permanent or other than permanent employment except as provided by law.

SEC. 309. Notwithstanding any other provision of law, in fiscal year 1992 and thereafter, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the Secretary of the Smithsonian Institution are authorized to enter into contracts with State and local governmental entities, including local fire districts, for procurement of services in the suppression, detection, and suppression of fires on any units within their jurisdiction.

SEC. 310. None of the funds provided by this Act to the United States Fish and Wildlife Service may be obligated or expended to plan for, conduct, or supervise deer hunting on the Loxahatchee National Wildlife Refuge.

SEC. 311. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (*sequoiadendron giganteum*) which are located on National Forest System or Bureau of Land Management lands until an environmental assessment has been completed and the giant sequoia management implementation plan is approved. In any event, timber harvest within the identified groves will be done only to enhance and perpetuate giant sequoia. There will be no harvesting of giant sequoia specimen trees. Removal of hazard, insect, disease and fire killed giant sequoia other than specimen trees is permitted.

SEC. 312. Such sums as may be necessary for fiscal year 1992 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 313. None of the funds made available by this or any other Act with respect to any fiscal year may be used by the Department of the Interior or the Forest Service, Department of Agriculture to make any reimbursements to any other Federal department for litigation costs associated with the Prince William Sound oil spill.

SEC. 314. None of the funds provided in this Act may be expended by the Forest Service or the Bureau of Land Management to increase fees charged for communication site use of lands administered by the Forest Service or Bureau of Land Management [by more than 22 per centum per user in fiscal year 1992] over the levels in effect on January 1, 1989.

SEC. 315. None of the funds appropriated by this Act may be used to ensure that hardwood saw timber harvested from Federal lands east of the 100th meridian is marked in such a manner as to make it readily identifiable at all times before its manufacture.

SEC. 316. Notwithstanding any other provision of law, payments to States pursuant to 16 U.S.C. 500 for National Forests affected by decisions relating to the Northern Spotted Owl from fiscal year 1992 receipts shall not be less than 90 per centum of the average annual payments to States, based on receipts collected on those National Forests during the five-year baseline period of fiscal years 1986 through 1990: *Provided*, That in no event shall these payments exceed the total

amount of receipts collected from the affected National Forests during fiscal year 1992.

SEC. 317. Notwithstanding any other provision of law, the payment to be made by the United States Government pursuant to the provision of subsection (a) of title II of the Act of August 28, 1937 (50 Stat. 876) to the Oregon and California land-grant counties in the State of Oregon from fiscal year 1992 receipts derived from the Oregon and California grant lands shall not be less than 90 per centum of the average annual payment made to those counties of their share of the Oregon and California land-grant receipts collected during the five-year baseline period of fiscal years 1986 through 1990: *Provided*, That in no event shall this payment exceed the total amount of receipts collected from the Oregon and California grant lands during fiscal year 1992.

[SEC. 318. None of the funds appropriated or made available in this Act shall be used to purchase or acquire items from a foreign country if the Secretary of the Interior, after consultation with the United States Trade Representative, determines that a foreign country which is party to a reciprocal trade agreement has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement: *Provided*, That a reciprocal trade agreement is any agreement between the United States and a foreign country pursuant to which the Secretary of the Interior has prospectively waived title III of the Act of March 3, 1933 (43 Stat. 1520; 41 U.S.C. 10a-10c) as amended by the Buy American Act of 1988 (Public Law 100-418; 102 Stat. 1545): *Provided further*, That the Secretary of the Interior responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of the Interior requirements on a timely basis or the cost of compliance would be unreasonable compared to the costs of purchase from a foreign manufacturer.

[SEC. 319. GRAZING ON THE PUBLIC RANGELANDS.—(a) FEE STRUCTURE.—(1) Notwithstanding any other provision of law, the Secretary of Agriculture with respect to public domain lands (except for the National Grasslands) administered by the United States Forest Service where domestic livestock grazing is permitted under applicable law, and the Secretary of the Interior with respect to public lands administered by the Bureau of Land Management where domestic livestock grazing is permitted under applicable law, shall establish the following domestic livestock grazing fee structure for such grazing:

[(A) For fiscal year 1992, the grazing fee on such lands shall not be less than \$4.35 per animal unit month.

[(B) For fiscal year 1993, the grazing fee on such lands shall not be less than \$5.80 per animal unit month.

[(C) For fiscal year 1994, the grazing fee on such lands shall not be less than \$7.25 per animal unit month.

[(D) For fiscal year 1995, and each fiscal year thereafter, the grazing fee on such lands shall not be less than \$8.70 per animal unit month or fair market value, whichever is higher.

[(2)(A) For purposes of this subsection, the term "fair market value" is defined as follows:

Fair Market Value = $\frac{\text{Appraised Base Value} \times \text{Forage Value Index}}{100}$

[(B) For the purposes of subparagraph (A)—

[(i) the term "Forage Value Index" means the Forage Value Index computed annually by the Economic Research Service, United States Department of Agriculture; and

[(ii) the term "Appraised Base Value" means the 1983 Appraisal Value conclusions by animal class (expressed in dollars per head or pair month) for the pricing area concerned, as determined in the 1986 report prepared jointly by the Secretary of Agriculture and the Secretary of the Interior entitled "Grazing Fee Review and Evaluation", dated February 1986.

[(3) Executive Order No. 12548, dated February 14, 1986, shall not apply to grazing fees established pursuant to this Act.

[(b) GRAZING REFORMS.—(1) Section 309(d) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739(d)) is amended by adding at the end the following new sentence: "The grazing advisory boards established pursuant to Secretarial action, notice of which was published in the Federal Register of May 14, 1986 (51 Fed. Reg. 17874), are hereby abolished, and the advisory functions exercised by such boards shall, after the date of enactment of this sentence, be exercised only by the appropriate councils established under this section."

[(2) Section 5(c) of the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1904(c)) is amended to read as follows:

[(c) Funds appropriated pursuant to this section or any other provision of law related to disposition of the Federal share of receipts from fees for grazing on public lands or National Forest lands in the 16 contiguous western States shall be used for the restoration and enhancement of fish and wildlife habitat, for restoration and improved management of riparian areas, and for implementation and enforcement of applicable land management plans, allotment management plans, and regulations regarding use of such lands for domestic livestock grazing. Such funds shall be distributed as the Secretary concerned deems advisable after consultation and coordination with the advisory councils established pursuant to section 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739) and other interested parties.".]

SEC. 318. Notwithstanding any other provision in this Act, each item of appropriation in this Act shall be reduced by an amount equal to the sum of the President's Budget request for fiscal year 1992 for personnel compensation, personnel benefits, travel, transportation of things, printing and reproduction, supplies and materials, and equipment for that account times the Congressional Budget Office's January, 1991 estimate of the rate of the growth of the fixed-weight GNP price index for fiscal year 1992.

SEC. 319. The Forest Service is directed to continue the preparation of all environmental documents necessary to implement the management goals, policies, standards, and guidelines contained in the land and resource management plans in Region 6, Oregon and Washington.

SEC. 320. LAND TRANSFER AND CONVEYANCE, PEASE AIR FORCE BASE, NEW HAMPSHIRE.

(a) TRANSFER BY THE AIR FORCE.—Notwithstanding any other provision of law, the Secretary of the Air Force shall transfer to Department of the Interior a parcel of real property located west of McIntyre Road at the site of former Pease Air Force Base, New Hampshire.

(b) ESTABLISHMENT OF NATIONAL WILDLIFE REFUGE.—Except as provided in subsection (c), the Secretary of the Interior shall designate the parcel of land transferred under subsection (a) as an area in the National Wildlife Refuge System under the authority of section 4 of the Act of October 15, 1966 (16 U.S.C. 688dd).

(c) CONVEYANCE TO STATE OF NEW HAMPSHIRE.—

(1) CONVEYANCE.—Subject to paragraphs (2) through (5), the Secretary of the Interior shall convey to the State of New Hampshire, without consideration, all right, title, and interest of the United States in and to a parcel of real property consisting of not more than 100 acres that is a part of the real property transferred to the Secretary under subsection (a) and that the Secretary determines to be suitable for use as a cemetery.

(2) CONDITION OF CONVEYANCE.—The conveyance under paragraph (1) shall be subject to the condition that the State of New Hampshire use the property conveyed under that paragraph only for the purpose of establishing and operating a state cemetery for veterans.

(3) REVERSION.—If the Secretary determines at any time that the State of New Hampshire is not complying with the condition specified in paragraph (2), all right, title, and interest in and to the property conveyed pursuant to paragraph (1), including any improvements thereon, shall revert to the United States and the United States shall have the right of immediate entry thereon.

(4) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcel of real property to be conveyed under paragraph (1) shall be determined by a survey that is satisfactory to the Secretary.

(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms or conditions in connection with the conveyance under this subsection that the Secretary determines appropriate to protect the interests of the United States.

This Act may be cited as the "Department of the Interior and Related Agencies Appropriations Act, 1992".

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, under a prior agreement, the Senate is now proceeding to consider the Department of the Interior appropriations bill. I previously indicated there will be no more rollcall votes this evening. I am grateful to the distinguished chairman of the Appropriations Committee who will be here to open debate on the bill and get the consideration of it under way. It is my hope we can complete action on that bill tomorrow. That means we will have a day of debating and voting.

I am grateful that we are able to complete action on the Labor-HHS appropriations bill this week. I discussed it earlier with the distinguished Republican leader and, understandably, we view it from a different perspective. It was an important bill. The actual amount of work on the bill, I believe, could have been completed in about a day. It took 3 days, in part because we were able to accommodate the concerns of several individual Senators who were occupied with other business; in each case an entirely valid and le-

gitimate concern about proceeding, having to do with a personal medical situation and participation in the Thomas hearings and other matters. There was no delay caused by any lack of attention or other activity. It merely was a sequence of events which in each individual instance was valid but the cumulative effect of which is it took longer than I had anticipated it would take on the bill.

I hope that we can proceed with some dispatch tomorrow on the Interior appropriations bill. We still have a number of appropriations bills to handle and much other important business. It remains my hope that during this fall session we can conduct our business so as not to require the late evening sessions that were unfortunately a regular feature during the July legislative period and that we can adjourn sine die at a reasonable time this fall so that Senators can return to their States to meet with their constituents to the extent possible.

I simply say that whether we are able to do either or both of those things will depend upon Senators themselves. We have a certain amount of business that must be completed—we are all generally cognizant of what that is—and a certain amount of time within which it must be completed. The sooner we can do that, the better for all concerned, I believe. And I hope that we can move expeditiously on the next few appropriations bills that we will be dealing with to enable us to accomplish the objectives which I have set forth.

I yield to the distinguished Republican leader and to the chairman of the Appropriations Committee.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. DOLE. Mr. President, I say to the majority leader I certainly do not disagree with him. I think in this case it was a very important bill. They all are. This was about a \$200 billion bill. I think it is almost record time. I look back at some of the other times when we spent a week or 10 days on this particular bill. And, then, the first day was consumed by a very important amendment, I will not say the most important, but the most controversial amendment on gutting defense. That did take most of 1 day. And I think, as the majority leader indicated today, he accommodated one of our Members, which we appreciate very much.

But I also say we would like to get out early this fall if we can. I do not know of any Member who does not. Certainly on this side of the aisle, where we can, we will be happy to cooperate with the majority leader, as we have in the past.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. MITCHELL. I yield to the distinguished chairman of the Appropriations Committee.

HOW MUCH IS A BILLION DOLLARS

Mr. BYRD. Mr. President, I merely take the floor, now that has been yielded to me by the distinguished majority leader, to thank the manager and the ranking manager, Senator HARKIN and Senator SPECTER, for their good work on this most difficult, very complex Labor, HHS appropriation bill.

As the distinguished Republican leader has already pointed out, it is a bill that amounts to over \$200 billion. Of course, the greater part of that is mandatory. But if one wants to understand how much a billion dollars is, I put it like this. There have only been 1 billion minutes since Jesus Christ was born. That is a dollar for very minute. Another way of thinking of it would be this: Cyrus the Great became the king of Anshan in 559 B.C., and became the king of all Persia in 550 B.C. But let us just for the moment take 559 B.C.

If the distinguished Senator from Pennsylvania [Mr. SPECTER] owned a corporation at that point or if he had a billion dollars—let us say he had a billion dollars in 559 B.C. and decided to give away a thousand dollars a day, every day from 559 years before Christ to today. He would still be in business today. He would still be giving a thousand dollars a day and could do that for the next 181 years. That is how far a billion dollars would go at \$1,000 a day.

Now, the Labor-HHS appropriations bill is over \$200 billion. It is the second, largest bill among the 13, second only to the Department of Defense and fast gaining on the Department of Defense bill. So those two Senators worked together, cooperated and conducted lengthy hearings. It is a most difficult task and lots of witnesses had to be heard, and then the markup of the bill, the managing of it on the floor—it is a very difficult, contentious at times, piece of work and I congratulate them both. As chairman of the Appropriations Committee, I commend them because out of it all, they came in with a bill and they completed action on a bill here in the Senate that is still below the allocations ceilings. I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

COMMENDING MEMBERS AND STAFF OF THE SUBCOMMITTEE

Mr. SPECTER. Mr. President, I thank the distinguished chairman of the Appropriations Committee, Senator BYRD, for those very kind comments. I compliment him on the outstanding job he is doing as chairman at a very difficult time. He is trying to make ends meet with very little funds available and many, many demands. That is the situation in which we found ourselves on the bill which was just enacted, Labor, Health and Human Services and Education.

I commend my distinguished colleague, Senator HARKIN, for the work he has done as chairman of the subcommittee. I want to thank especially Senator HATFIELD, the ranking Republican on the full committee who took over the floor management in my absence due to my obligations on the Judiciary Committee, where we have been sitting full days on the nomination of Judge Clarence Thomas for the Supreme Court. I thank Senator HATFIELD for that.

I want to pay tribute to a very distinguished staff, to Craig Higgins and Bettilou Taylor and Robin Rosencrantz and Janet Lamos on our side of the aisle, and on the majority side, Mike Hall, Jim Sourwide, Carol Mitchell, Margaret Stuart, Amy Shultz, Gladys Clearwater, and Susan McGovern. I had not realized until I asked for a list of the staffers how many more the majority has than the minority side has.

It is an enormous bill. It has been completed within our allocation. I think it is a step in the right direction, balancing as we best could the many competing demands with limited funds. I thank the Chair and yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

The Senate continued with the consideration of the bill.

Mr. BYRD. Mr. President, I believe the ranking member, Mr. NICKLES, is on the floor. I bring before the Senate today the fiscal year 1992 Department of Interior and Related Agencies appropriations bill. As compared with the bill that the Senate just passed, this is a rather small bill. The allocation totals \$13 billion as compared, as I was saying a little earlier, to something over \$200 billion in the Labor-HHS appropriations bill.

The allocations here total \$13 billion in budget authority and \$12 billion in outlays.

This bill is directly on target with respect to outlays as scored by the Congressional Budget Office, and is \$1 million under the allocation of budget authority. So that is cutting it pretty thin.

The Interior bill is essentially at its spending limit. Any further amendments that add money to the bill's total or which increases the spending rate for items already in the bill must be accompanied by an offsetting amendment to reduce spending elsewhere in the bill. If not, the amendment would be subject to a 60-vote point of order under the Budget Act.

This bill, although it is not as large as some of the other bills that we have passed making appropriations, was dif-

ficult to fashion, given the very tight budgetary restraints. The 602(b) outlay allocation for the subcommittee is \$213 million less than the amount proposed by the President and \$79 million less than the outlays associated with the Interior bill that was passed by the House. Furthermore, new outlays in this bill are down some 8.6 percent below the CBO baseline for fiscal year 1992.

I have had the splendid cooperation of Senator NICKLES in developing these recommendations which I bring before the Senate today. This is our first year in working together as a team on the bill, and I appreciate the insights and the help and the splendid cooperation that Senator NICKLES has offered as the ranking member. We have had a fine working relationship. It could not have been better.

I believe that the bill represents a bipartisan package. There is not enough money available to satisfy the virtual flood of requests which the subcommittee has received. Over 3,000 requests have been submitted for projects of interest to Members of the U.S. Senate. Over 3,000 requests. There are only 100 Members in this body, so that is an average of over 30 per Member.

Every Member of the Senate has expressed an interest in at least one provision or another in this bill. Some of the items of interest in the bill are as follows: Total funding in the bill for land acquisition and State assistance is \$271,210,000. This amount is \$70,465,000 below the fiscal year 1991 appropriations and \$79,064,000 below the President's request for the coming fiscal year.

Total funding for construction in the Bureau of Land Management, Fish and Wildlife Service, the Park Service, and Forest Service amounts to \$571,325,000. This total is \$84,184,000 below the fiscal year 1991 appropriations for these same construction accounts and \$110,600,000 above the President's request for fiscal year 1992.

Within the construction and land acquisition accounts, the committee has recommended a total of \$14,409,000 for emergency projects that were not included in the President's budget request and for other projects which the President proposed to fund in different accounts.

In total, then, the non-Indian land acquisition and construction accounts are \$17,127,000 or 2 percent above the President's request. Elsewhere, for Indian construction related to education, health clinics and basic services, the committee has recommended a total of \$398,876,000 which is an increase of \$255,555,000 over the budget request. I emphasize that this additional funding is for basic services. Truly for basic services. It is not for recreation projects or the like.

The committee has funded firefighting within the domestic discretionary

totals in the same amounts and manner as requested by the President.

This means that any subsequent requirement for firefighting will be treated as an emergency expense for purposes of the Budget Enforcement Act.

The committee faced extreme difficulty in formulating a bill that complied with the subcommittee's 602(b) allocations. Consequently, the bill contains a provision in section 318 which would deduct funds budgeted for inflationary increases for salaries and certain other items such as travel and supplies. This provision would not deny the pay raises which are due Federal employees next January, but rather would require agencies to absorb pay raises and other inflationary costs by filling vacant positions more slowly than planned, and doing less travel, for example.

In summary, then, I believe that this is a fiscally responsible bill.

With respect to specific program and policy issues in the bill, I offer the following notations:

The bill contains none of the mining-claim patent moratoria language which was in the House bill.

The bill contains no increase in grazing fees which the House has proposed to raise.

The bill does contain a provision within the Minerals Management Service which would deduct the cost of the mineral royalty collection program from the total receipts prior to distributing those receipts to the State and the Treasury. This "net receipts" proposal means that the States would share equally in the program cost and the program revenues.

While this provision may not be popular with all Senators, it strikes a balance between receipt sharing and program cost sharing with the States. Also, this is a very necessary provision that raises \$68 million to keep the bill's outlays in compliance with the 602(b) allocation. Any change in this provision would require a substantial off set elsewhere in the bill.

Senator NICKLES and I, and Senator HATFIELD, the ranking member on the full committee, Senator STEVENS and others have been working with other interested Senators in an effort to make some modifications here, and I hope and believe that we have arrived at a resolution of the matter.

The bill does retain all House bill language related to Outer Continental Shelf oil and gas leasing moratoria.

The bill contains significant operating increases and facility construction funds to address the most critical health and safety needs of our native American population.

The bill before you contains a reduction of nearly \$40 million in the timber road construction program. This is about 20 percent below the similarly funded programs last year.

The bill includes no specific legislative protection regarding timber harvest and the spotted owl in the Pacific Northwest.

Before I yield the floor to Senator NICKLES for any remarks which he may have, I would like to take this opportunity to extend a special acknowledgement and a heaping word of thanks to the Appropriations Committee support staff which have made possible this and all the other appropriation bills which have been considered by the Senate this year. In the editorial office I would like to thank: Richard Larson, Bernie Babik, Robert Swartz, Clarence Erney, and Patrick Joe Thomas. Ever at the ready on the committee's switchboard have been Nancy Brandel and Rheda Freeman. And, lastly, I would like to thank in our computer services and liaison office Bob Putnam, Jodi Capps, and Jack Conway.

On the Interior Subcommittee staff I would also like to thank Sara Masica, Rusty Mathews, Ellen Donaldson, and Carla Burzyk on the majority staff and Ginny James on the minority staff.

Beyond these, I also thank Mary Oswald and Anita Skadden on the full Appropriations Committee staff.

I want to thank Charlie Estes, who is the staff director for the subcommittee, and I thank Jim English, the staff director for the full committee; Keith Kennedy, ranking member on the full committee, and Sherry Cooper, who is the ranking member on the Interior Subcommittee.

Mr. President, I yield to Senator NICKLES if he wishes to address the Senate at this point.

The PRESIDING OFFICER (Mr. BREAU). The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I thank my friend and colleague, the chairman of the full Appropriations Committee and also the chairman of the Interior Subcommittee, Senator BYRD, for his leadership in putting together not only this bill but also managing to put all of our bills together in a way that is acceptable to the budget agreement that was made last year.

I compliment, as he did, the staff. The staff has worked tirelessly. He mentioned Jim English and Charlie Estes on his side who have done such a great job. And I would also like to compliment Sherry Cooper, who has worked tirelessly on our side to put together a package to present to the Senate today.

I might mention, Mr. President, in looking at all the appropriations bills, with the exception of defense, the bill has a lower rate of growth in spending than any other bill that we take up before the Senate.

Defense has actual real reductions. Defense spending—and I am talking about discretionary budget authority and outlays—declined by 2.43 percent. Budget authority goes up one-half of 1 percent. In all other appropriations

bills, we see real increases. In the Interior bill that we are taking up tonight, we have an increase in budget authority of 2 percent and an increase in outlays of actually less than 1 percent. Agriculture outlays actually increased by 12 percent, Energy and Water increased by 5.5 percent; Commerce, Justice, State, increased outlays by 9.5 percent; District of Columbia was 25 percent; Foreign Operations, 2.7 percent; Labor-HHS, which we just passed—I am talking about discretionary—6.5 percent, Legis Branch was 7 percent; Milcon about 7 percent; Transportation, 7.5 percent; Treasury, Postal, 7 percent; VA-HUD, 5 percent.

So we saw all Appropriations subcommittees in the nondefense amounts increasing by various amounts from 2 to 25 percent. Interior increased by less than 1 percent.

Again, I compliment the chairman for his willingness to somewhat set the example of trying to contain the growth of spending.

So in the bill that we have before us, we have budget authority increasing by 2 percent and outlays increasing by less than 1 percent.

That is difficult because we probably have more requests by our colleagues than any other committee, maybe all of the other committees combined. Chairman BYRD mentioned that we have had over 3,000 requests by our colleagues to try to help them in areas that are important to them. I understand that. I think many of those requests are quite legitimate. Not all of them are.

We could not fund them all. We could not come close to funding all of them. But many of them are quite serious and quite important to some Members because the Government owns two-thirds of the land in their State, and so they have to be involved in land management and mineral management. They have to be involved in grazing. They have to be involved in the Federal Government because the Federal Government happens to own the majority of the land in many of the Western States.

So I appreciate the interest of our colleagues. We tried to accommodate the desires when they made sense, and when we could afford it. That was not always the case. We tried to do it as many times as we possibly could.

As Senator BYRD mentioned, the budget authority for the committee is \$13 billion. Outlays are \$12.05 billion—again, a 2-percent increase in budget authority and less than a 1-percent increase in outlays.

There are a lot of controversial issues I expect will come up in the next couple days. I expect that we will have an amendment dealing with grazing fees. I know that is very sensitive to many Senators from Western States. We expect that we may have an amendment dealing with mining holding fees,

a moratorium on mining patterns, grazing fees, mineral receipts.

We want to be fair. We want to pass a good bill. It is not this Senator's interest to try to legislate all items that deal with Western land management on the appropriations bill. It would be my preference to have that done in the authorizing committee and hopefully that will be the case.

We cannot prohibit Senators from offering amendments, and we know some of those amendments are going to come up. It might be in my interest to say let us let the authorizing committees handle those functions and maybe the Senate will agree, maybe it will not. We will have to wrestle with those. We know the House has dealt with those issues and likewise we will as well. It is my hope we will move expeditiously on this bill.

I would like to finish the bill in the next couple of days. I have already had colleagues tell me they do not want to vote on Friday or Monday. I guess we will have to wrestle with that. It is my hope we will take up the amendments, approve the amendments that we can approve, and the ones that require extended debate or discussion, we will begin those and, hopefully, be able to proceed rather rapidly.

I do not think it is in anybody's interest to prolong debate on these issues. We have a lot of work to be done between now and the end of September. This is just one of nine appropriations bills that the chairman said we have left. It happens to be one that has a lot of controversy in it. Hopefully, we will be able to finish it.

Again, I thank the chairman of the full committee and the subcommittee for his leadership. It has been a pleasure to work with Chairman BYRD and also his staff, Charles Estes and Jim English, as well as with Cherie Cooper. I think we have done a good job. Hopefully, we will be able to complete the bill in the next couple of days.

Mr. WALLOP. Mr. President, let me express my gratitude to both Senator BYRD and Senator NICKLES, and to Charlie and Cherie for working with us.

I heard one thing in there that I wish strongly to encourage the managers of this bill to do; that is, to try to keep us away from legislation on this appropriations bill. It is an appropriate thing for the authorizing committees to deal with the very prickly issues that are coming up. It would be my hope that all of us can gather around the appropriations rule, and try to stick to it through this legislation. Otherwise, it is almost certain we will be bogged down in considerable periods of time over things that have nothing to do with how moneys are expended but everything to do with how the various functions of Interior are administered.

Mr. CRAIG. Mr. President, I rise to recognize the chairman of the Interior

Appropriations Committee and its ranking member for the work they have done in assembling the Interior appropriations bill and related agency legislation that is so critical that has been mentioned by my colleague from Oklahoma to States like mine and other Western States that are well over 50 percent owned by the citizens of this country and managed by the agencies of the Federal Government. It is a piece of legislation that the chairman worked diligently on to address just the necessary moneys needed to appropriately manage the agencies and the responsibilities of those agencies.

Throughout that process, Mr. President, Chairman BYRD worked extremely hard to keep what is known as a clean bill, that we would not find legislative efforts tied within it. As our colleague from Oklahoma mentioned, there could be contentious-type amendments come up. My colleague from Wyoming has mentioned the same thing.

Is it appropriate on an appropriations bill to legislate? No. It is not. It is supposed to be against the rules of this body and the other body. And it has not been the normal procedure for a good long while. Yet we are told that in the course of the debate on this legislation some of our colleagues may offer a patent moratorium to mining. Why would they do that?

There are some who believe that the 1872 mining law ought to be amended. I suggest to them that they come to the appropriate committee to have the hearings not only in that committee but out in the field of the States that would be most affected by it and not attempt on an appropriations bill to find that as an avenue for legislation.

What would it mean, that type of legislation, a moratorium on patents for mining?

It is the beginning of a process to have greater control over the surface of the land on which a mining operation would sit. That kind of control would ultimately be dictated probably by the Bureau of Land Management and it would take away the kind of flexibility that a mining company has to operate for the purpose of providing minerals and metals for the industries of this country for our national defense and for our economic well-being.

I think you know, Mr. President, that is not something you debate lightly on the floor and attempt to shove through an appropriations bill. It is something you have extensive hearings on in the appropriate committee and out in the field of the States most affected before you arrive at that type of legislation.

Another issue, as mentioned by my colleague from Oklahoma, could well be an attempt to raise the grazing fee that is charged for Western public lands, the right to graze on those lands by the ranchers of many of our Western

States. If it were a conscious effort to raise the price because there was some concern that it was not equitable to what is being charged in the private sector—and there are many of us who will demonstrate in the course of the debate on that legislation if that amendment comes up that it is equitable—if it were that and that alone, I would say the appropriate place to debate it is in the committee, not on the floor. But there is an ulterior motive. It has been played out in the public on television and in the press, across the media of this country, suggesting that grazing land, Western public grazing land, ought not be grazed anymore; that for some reason it is damaging the environment; that for some reason it is no longer a public policy in this country—or should not be—that we should utilize those public grazes for the purpose of grazing to provide red meat and protein to the citizens of this country.

I believe it is an appropriate use, within reason, properly managed, and properly priced. Western States like mine and others depend greatly upon the livestock industry and those that graze on public lands for their very vitality. That will be another issue that we are told will be on the floor, another issue to attempt to legislate a change in a formula that took an extensive study and several years of debate in the appropriate committees to arrive at.

Here, in a few moments, we will attempt to legislate an appropriations bill and change it.

I hope that the chairman of the committee and our ranking member of that committee will make every effort to oppose this kind of activity on the floor of the Senate. It is not that the authorizing committees have avoided these issues. It is that those committees have not allowed these kinds of issues to come forth because they did not believe them appropriate, because they could not get a majority vote of the necessary committees to be brought to the floor in a proper fashion.

That appears to be the ground, the nature in which we will debate a most important piece of legislation, this legislation, the appropriations for the Interior Department and related agencies so critical to the running and the management of the public lands and the public resources of this Nation.

I hope that my colleagues will join with me and other Western legislators to assure that we do not come to the floor with mischievous pieces of legislation that have some form of ulterior motive than just change the law appropriate to reasonable and responsible management of these resources.

So I hope we can move expeditiously on a piece of legislation that in fact stays within the kind of economic growth that our country is experiencing. It is not an extravagant appropriations bill as has been mentioned by our

colleagues, a lower growth rate in actual expenditure than any other bill except the Department of Defense legislation. For that reason, it is worthy of all of our consideration and our support as presented by the Interior Appropriations Subcommittee to the full Appropriations Committee, without the kind of legislative activity that may well be attempted in the coming hours as we work the will of the Senate on this issue.

I yield the remainder of my time.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate stand in recess awaiting the call of the Chair.

There being no objection, at 8:26 p.m., the Senate recessed subject to the call of the Chair.

Whereupon, the Senate reassembled at 8:52 p.m., when called to order by the Presiding Officer (Mr. BREAU).

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD. Mr. President, I have certain amendments that make technical corrections and other amendments that have been agreed to between the two managers and other Senators.

I ask unanimous consent that the committee amendments be agreed to en bloc; that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall have been considered to have been waived by agreeing to the request; that the following committee amendments be excepted from this en bloc adoption request; namely, BLM minerals language, page 2, line 21, beginning with the semicolon, through page 3, line 22; Park Service administrative provisions, page 23, line 5 through page 24, line 12; grazing fee, line typing, page 110, line 11 through page 113, line 8; territories, page 46, line 4, through page 48, line 4; and that the following technical corrections and other substantive amendments be considered en bloc, agreed to en bloc, (subsequently designated amendment No. 1123) and that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I have not objected. I have reviewed these amendments with my colleague, Senator BYRD, and agree with his unanimous consent request.

The amendment (No. 1123) is as follows:

AMENDMENT NO. 1123

On page 2, line 11, strike "\$537,049,000" and insert in lieu thereof "\$537,199,000".

On page 11, line 22, strike "\$95,465,000" and insert in lieu thereof "\$96,275,000".

On page 13, line 8, strike "\$85,530,000" and insert in lieu thereof "\$84,720,000".

On page 16, line 19, strike "\$949,724,000" and insert in lieu thereof "\$950,274,000".

On page 17, line 16, before the period, insert the following: "Provided further, That of the funds provided herein, \$65,000 available for a cooperative agreement with the Susan LaFlesche Picotte Center".

On page 18, line 22, strike "\$194,797,000" and insert in lieu thereof "\$199,397,000".

On page 20, line 23, before the period insert the following: "Provided further, That of the funds available under this head for emergency, hardship, and holdings, \$850,000 shall be available for the acquisition of the Shipley and Granview Schools in Harpers Ferry, West Virginia".

On page 27, line 3, delete "\$136,400,000" and insert in lieu thereof a new italic number of "\$68,200,000".

On page 27, line 7, before the period insert the following: "Provided further, That in accordance with Section 6004(c) of Public Law 101-380, the Oil Pollution Act of 1990, \$21,000,000 shall be made available as compensation in full, including interest, to the State of Louisiana and its lessees for net drainage of oil and gas resources by the United States and its lessees occurring as of September 1, 1988 in the West Delta Field of the Outer Continental Shelf, as determined in the Third Party Factfinder Louisiana Boundary Study dated March 21, 1989".

On page 35, line 12, before the period, insert the following: "Provided further, That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended".

On page 35, line 24, strike "\$431,741,000" and insert in lieu thereof "\$431,541,000".

On page 36, line 22, before the period, insert the following: "Provided further, That funds for Self-Governance Compact tribes may be transferred to the Operation of Indian Programs appropriation without further action by Congress".

On page 38, line 16, strike "\$92,798,000" and insert in lieu thereof "\$93,308,000".

Also on page 38, line 16, before the period insert the following: "Provided further, That funds for Self-Governance Compact tribes may be transferred to the construction appropriation without further action by Congress".

On page 76, line 25, before the period insert the following: "Provided further, That the funds provided under this head in fiscal year 1991 for the purchase of supercomputer time needed for Fossil Energy programmatic purposes shall be provided as a grant to the University of Nevada—Las Vegas".

On page 84, line 1, strike "\$243,000,000" and insert in lieu thereof "\$179,000,000".

On page 85, line 4, strike "\$144,000,000" and insert in lieu thereof "\$141,000,000".

The following technical corrections:

On page 18, line 23, line type "\$11,200,000" and insert new italic number of "\$9,340,000".

On page 19, line 10, after the parenthesis—should be italic print through line 12 before the "":

On page 35, line 24, insert the italic "\$" before the "431,741,000".

On page 61, line 7, the italic number should read: "\$84,270,000".

On page 66, line 19, line type "99-714" and insert new italic reference of "102-116".

On page 76, line 12, the italic number should read: "\$462,015,000".

Mr. BYRD. Mr. President, the en bloc amendments which I am offering have been cleared on both sides. These are noncontroversial amendments to resolve small deficiencies in the bill as it presently stands.

The en bloc package begins with a series of technical corrections. These technical corrections conform the bill to the numbers indicated in the committee report and in no case do these changes modify the outlay and budget authority scoring of the Bill.

After that, the first substantive amendment adds \$150,000 to the Bureau of Land Management's Management of Lands and Resources account to permit the Bureau to implement the Prehistoric Trackway Act of 1990 and to protect these irreplaceable resources.

The next two amendments shift \$810,000 from the Fish and Wildlife Service land acquisition allowance for refuge water rights to the Fish and Wildlife Service construction account to accomplish the planning and design of the Wichita National Environmental Education Center. The committee initiated this project last year by providing \$450,000 for land acquisition and the city of Wichita and the Kansas Wildlife and Parks Department are contributing an additional \$1,500,000 in cost sharing for this Fish and Wildlife Service project. The funding for refuge water rights is already covered within the Department's operating budget; and, consequently, the committee's recommendation of \$810,000 in the land acquisition account is not needed for that purpose.

The fourth amendment adds \$550,000 to the operation of the National Park System account for the Mimbres Native American archaeological sites in the Southwest.

The fifth amendment clarifies the availability of \$65,000 for a cooperative agreement with the Susan LaFlesche Picotte Center to commemorate the life and works of the first female Native American doctor in America.

The sixth amendment adds \$4,600,000 to the National Park Service construction account for four purposes. First, \$3,600,000 of this amount would be added to funds already included for the New Jersey Urban History initiative. This additional funding will permit a total of \$1,808,000 for Perth Amboy \$1,892,000 for Trenton and \$4,700,000 for Newark, in addition to \$4,200,000 which has been included previously for Paterson. Second, this amendment allocates \$500,000 for the Darwin Martin House in Buffalo which likely will be matched with an equal amount of non-federal funding. These moneys are made available under the authorities of the Historic Sites Act of 1935 and will

be used to preserve important structures from our national heritage and which are listed on the National Register of Historic Places. The third item under Park Service Construction adds \$400,000 for planning and design of a boat shelter at Vicksburg National Military Park. The Park Service should use these funds to develop a cost assessment for the Committee regarding the construction of a shelter which would be suitable to protect the U.S.S. *Cairo*. The fourth and final element under the Park Service construction amendment is \$100,000 to continue the Coal Heritage Study which the Park Service conducted in fiscal year 1991.

The seventh amendment provides that \$850,000 within available funds for National Park Service land acquisition shall be available for the acquisition of the Shipley and Grandview Schools for use by the National Park Service's Interpretative Design Center.

The eighth amendment modifies the committee amendment on net receipts in the Minerals Management Service so that States will pay only 25 percent of the program administration cost rather than 50 percent as proposed in the committee amendment.

The ninth amendment would provide \$21 million for the settlement of drainage claims against the Federal Government in the West Delta field, as authorized by section 6004 of Public Law 101-380.

The 10th, 12th and 14th, amendments are designed to provide reprogramming flexibility for the Bureau of Indian Affairs in its efforts to implement the self-governance compacts with tribal organizations. The flexibility provided herein will not change the total funding allowances for the Bureau in any way.

The 11th and 13th amendments address the Indian education accounts. Education construction is increased by \$510,000 and operational programs are decreased by \$200,000. An increase of \$310,000 is recommended for repairs to the Navajo Academy, located in Farmington, NM. This school is a preparatory school for Native Americans and the current facilities are in need of some basic safety repairs—fire alarms and functional sewer lines. The second element involves a transfer of \$200,000 from education program management to construction to allow the Bureau of Indian Affairs to conduct the necessary planning, design, and oversight of the new school construction and existing school repairs recommended in the committee Bill. The \$200,000 decrease in the Indian Education Programs account is taken from the funding requested for volunteer services in the Indian schools. The Department has informed the committee that it will be unable to conduct the volunteers program since the costs of required background investigations might well ex-

ceed the benefits to be gained. As a result, the funds requested in the budget for this purpose are no longer necessary.

The 15th amendment clarifies the intent of the Congress last year when it provided funds for the acquisition of computer by the Office of Fossil Energy in the fiscal year 1991 Department of the Interior and Related Agencies appropriation bill.

The last two amendments provide the necessary offsets in budget authority and outlays to make the amendments noted above budget neutral.

Mr. President, I would like to note that the committee reported bill contains \$250,000 for the Park Service or a third party, using the authorities of the Historic Sites Act of 1935, to stabilize an existing railroad engine house in the National Register—Historic District of Thurmond, WV. Funds available in the current fiscal year may also be used for this purpose should the Secretary determine that would be an appropriate expenditure. The committee has also included \$376,000 in the National Park Service Construction account to be made available under the same 1935 authority for the emergency stabilization of the Kennicott site in Alaska, and these funds may also be made as a private grant for stabilization purposes if the Secretary of the Interior determines that approach is appropriate. However, should the Secretary subsequently decide to acquire either of these properties in the future, the grants should be made under the condition that the appraised value of either property be reduced by the amount of the Federal grant for stabilization.

Mr. President, this reduction in the appraised value is appropriate because the National Park Service should not be in the position of providing a grant to a private owner to stabilize one of these historic structures and then subsequently have to pay a price for that property which is enhanced by the very grant made earlier by the Secretary.

NET RECEIPTS

Mr. WALLOP. Mr. President, reserving the right to object, it is my understanding that one of the en bloc amendments reduces the amount of administrative costs payable by the States for Federal mineral leasing programs from 50 percent to 25 percent. While I am not happy with this amendment, it is moving in the right direction. It is my understanding that it is the chairman's intent to base these costs on the basis of actual costs for each State rather than the current pro rata basis. Am I correct?

Mr. BYRD. I am in sympathy with the Senator's position on a cost-based system. However, the Department of the Interior has not been able to persuade the committee that it has accurate information to make cost-based charges to the States. If accurate infor-

mation can be provided to the Congress prior to the completion of the conference with the House on this bill, then it would be my intent to support bill language in the conference that implements a cost-based system for State charges.

Mr. WALLOP. It is my further understanding that the chairman will be working with the Department of the Interior and the ranking member and this Senator to determine the precise formula for this cost-based approach in conference. Is that correct?

Mr. BYRD. The Senator is correct.

Mr. WALLOP. Is this also the understanding of the Senator from Oklahoma?

Mr. NICKLES. Yes.

Mr. WALLOP. With those assurances, I withdraw my reservation.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to en bloc with the exception of the following excepted committee amendments:

BLM minerals language, page 2, line 21, beginning with the semicolon, through page 3, line 22;

Park Service Administrative provisions, page 23, line 5 through page 24, line 12;

Grazing fee, line typing, page 110, line 11 through page 113, line 8;

Territories, page 46, line 4, through page 48, line 4.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the en bloc amendments were agreed to.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I ask unanimous consent that the committee amendment on page 1 on page 100, line 14, be excepted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. If the chairman will yield, it is my thought that Senator McCain has an amendment dealing with the Grand Canyon and that he will be prepared to bring that amendment up early in the morning. We do not have it ready to lay down at this point. Hopefully he and his staff will be ready and when we convene in the morning that will be our first amendment up.

Mr. BYRD. Very well. If Senator McCain will be here, I wonder if we could begin by say 9:30 a.m. on the bill. Does the Senator from Oklahoma know whether or not the distinguished Senator from Arizona [Mr. McCain] will be here at 9:30 to offer his amendment?

Mr. NICKLES. I am sure. I will encourage him, and also other Senators, if they have amendments. I hope they will be ready. I know the Senator from West Virginia is ready and we would like to finish as much of this bill as possible tomorrow. So if Senators have

amendments, including the amendment from the Senator from Arizona, but other amendments, I hope they will bring them forward so we can dispose of them before too long a time period.

Mr. BYRD. Mr. President, I share that hope. I, too, urge all Senators to be prepared to call up their amendments. I will be here and, Lord willing, and Senator NICKLES will be here, the Lord willing, at 9:30 a.m. ready to discuss amendments with Senators. As far as I am concerned that is all we can do today.

Mr. NICKLES. If the chairman will yield one moment further, I believe the Senate is scheduled to convene at 9:15 for morning business.

MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business for not to exceed 5 minutes, and that Senators may speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE IMPORTANCE OF BUSINESS INCUBATORS

Mr. KASTEN. Mr. President, I rise today to bring to the attention of the Senate a successful, proven tool for creating jobs and starting new small businesses in local communities. This tool is a small business incubator. During August recess, I had a chance to see firsthand the important role that incubators are playing in local entrepreneurial development.

Incubators are business assistance programs for startup and fledgling firms. They can be sponsored by educational institutions, private businesses, economic development organizations, not-for-profit organizations, and city, county, and State governments.

A small business incubators goals are quite broad and include: economic diversification, neighborhood revitalization, technology transfer, and job creation. They are unique economic development tools that can be tailored by local sponsors to meet the special needs of their communities, whether rural, urban, or suburban. In Wisconsin, for example, we have manufacturing incubators, service-business incubators, inner city and women's business incubators.

Let me give you a few examples of incubators. In 1984, an old shoe factory in a blighted area of north Milwaukee was closed and 700 local residents were laid off. The building was donated to a coalition of enterprising people who worked with private corporations, the Economic Development Administration, the city of Milwaukee, the State of Wisconsin, and the Milwaukee Area Technical College to form the Milwaukee

Enterprise Center. Celebrating its fifth anniversary in August, the MEC currently holds 61 companies employing 220 people full time and 88 people part time. MEC's growth has led to the creation of the Milwaukee Enterprise Center South, which will be opening soon.

I'm hearing similar incubator success stories all over Wisconsin from places like north Milwaukee's Metroworks, the Business Incubation Center of Superior, the Sheboygan County Enterprise Center, the Madison Enterprise Center, and the Advance Business Development Center in Green Bay to name a few. But no matter whether the incubator is urban or rural, their mission is all the same—to give hard-working, energetic individuals the opportunity to start their own small firms and create local jobs.

A typical incubator provides entrepreneurs with flexible space at below-market rents in a building where start-up and fledgling firms are housed together, to encourage networking and sharing. Incubators also provide basic business services such as clerical, receptionist, and bookkeeping assistance, access to equipment such as fax and copy machines, and to janitorial, security, and mail services.

Most incubators also offer their tenants access to a network of business and technical advisers through a combination of in-house management expertise and local resources. Included in this network are experts in marketing, legal, accounting, engineering, business management, prototype development, and others.

Finally, and perhaps most importantly, many small business incubators provide tenants with financing assistance. Incubator management will often help entrepreneurs obtain conventional loans through banks or venture capital. But more and more incubators are establishing their own small business microloan funds. As ranking member of the Small Business Committee, I am proud to join the chairman, Mr. BUMPERS, as a sponsor of S. 1426, the Economic Opportunity Enhancement Act, which will establish a Federal Microloans Program to boost many incubators' lending efforts.

I have taken an active role in support of business incubators in my home State of Wisconsin and nationally. As a matter of fact, at my request, the National Incubator Association will be holding its fall meeting in Washington. I've asked some of our Nation's incubator experts to deliver a briefing on Friday, September 20, for interested Members and their staffs.

The growth of small business incubators is nothing less than phenomenal. As recently as 1980, only 10 to 15 incubators were in operation in the United States. The most recent count shows that there are nearly 450 today, more than 22 in Wisconsin alone. Incubators

have been opening at the rate of more than one a week since 1986.

Mr. President, currently there are several small sources of Federal funds located in many agencies that can benefit incubators. Among other things, we ought to work to better coordinate those resources, perhaps through the Small Business Administration, to encourage incubator growth.

I also believe we need to provide assistance to help assess the feasibility of an incubator. Any Federal role, however, should encourage State and local matching participation.

Mr. President, I hope my statement today has sparked some interest in this worthy small business project. It is my hope that this body will be hearing more from me and my colleagues on the importance of business incubation to job creation and economic development.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,371st day that Terry Anderson has been held captive in Lebanon.

I also note that today marks the fifth anniversary of Joseph Cicippio's captivity in Lebanon. According to an Associated Press report, his family observed the anniversary in a solemn—but hopeful—ceremony, heartened by recent news from Beirut.

Mr. President, I take this opportunity to express my own hope that all the remaining hostages be released and ask unanimous consent that the Associated Press article I mentioned be printed in the RECORD at this time.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOSTAGE'S FAMILY MARKS FIFTH YEAR OF CAPTIVITY

(By A.J. Hostetler)

NORRISTOWN, PA.—Joseph Cicippio's family marked the beginning of his sixth year in captivity in a solemn ceremony Thursday brightened by news that his kidnappers expressed hopes for a "happy ending" to the hostage ordeal.

"Never, never did I dream that Joseph would be held for such a long time," Cicippio's brother Tom said.

The 10-minute ceremony with Carmella LaSpada, founder of the support group No Greater Love, marked the first time all six surviving Cicippio siblings have appeared together in public since their brother's kidnapping Sept. 12, 1986.

Their sister, Helen Fazio, who is growing weak from cancer, sat at a table while her five brothers one by one set up small placards bearing the names of all Western hostages.

Tom Cicippio, 67, and Mrs. Fazio, 71, then held hands as they lit a candle and watched it burn against the breeze. One of Joseph's children, David, read a prayer.

Ms. LaSpada read a message to Mrs. Fazio from Cardinal Anthony Bevilacqua telling her that he was "praying that you will soon see your brother, Joe."

The ceremony ended with a guitarist playing "Let There Be Peace On Earth."

Family members had expected a quiet occasion to observe the fifth anniversary of Cicippio's kidnapping. But news from Beirut changed that.

Early Thursday, the groups holding Cicippio, former British pilot Jack Mann and American hostage Terry Anderson released photos of Mann and Anderson.

"It's good news because it's the same people holding Joseph," said Tom Cicippio. "We thought Joseph was left by himself once (Edward) Tracy was released, because Tracy was held with Joseph all that time."

Tracy, an American, was released Aug. 11. Knowing Joseph Cicippio may not be alone, his brother said, "gives us a very nice feeling."

Cicippio, the acting comptroller at the American University of Beirut, became the fourth American hostage when he was kidnapped on the campus. He turns 61 on Friday.

The last communication about him was a photograph authenticating an Aug. 10 statement by his Shiite Muslim kidnappers, the Revolutionary Justice Organization. The statement promised the release of an American hostage.

But the man who walked to freedom was Tracy.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider all nominations reported today from the Committee on the Judiciary, and that the nominations be confirmed en bloc; that any statements appear in the RECORD as if read; that the motions to reconsider be laid on the table; that the President be immediately notified of the confirmation of nominees; and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations reported today, considered and confirmed en bloc, are as follows:

Andrew J. Kleinfeld, of Alaska, to be U.S. circuit judge for the ninth circuit;

Eugene E. Siler, Jr., of Kentucky, to be U.S. circuit judge for the sixth circuit;

Benson Everett Legg, of Maryland, to be U.S. District Judge for the District of Maryland;

Harvey Bartle III, of Pennsylvania, to be U.S. District Judge for the Eastern District of Pennsylvania;

Dee V. Benson, of Utah, to be U.S. District Judge for the District of Utah;

William G. Bassler, of New York, to be U.S. District Judge for the District of New Jersey;

William H. Yohn, Jr., of Pennsylvania, to be U.S. District Judge for the Eastern District of Pennsylvania;

Donald L. Graham, of Florida, to be U.S. District Judge for the Southern District of Florida;

Jorge A. Solis, of Texas, to be U.S. District Judge for the Northern District of Texas;

Michael R. Hogan, of Oregon, to be U.S. District Judge for the District of Oregon;

James T. Trimble, Jr., of Louisiana, to be U.S. District Judge for the Western District of Louisiana;

Shelby Highsmith, of Florida, to be U.S. District Judge for the Southern District of Florida;

Stewart R. Dalzell, of Pennsylvania, to be U.S. District Judge for the Eastern District of Pennsylvania;

J. Williams Roberts, of Illinois, to be U.S. Attorney for the Central District of Illinois for the term of 4 years;

Karen K. Caldwell, of Kentucky, to be U.S. Attorney for the Eastern District of Kentucky for the term of 4 years;

John F. Hoehner, of Indiana, to be U.S. Attorney for the Northern District of Indiana for the term of 4 years; and

Thomas B. Heffelfinger, of Minnesota, to be U.S. Attorney for the District of Minnesota for the term of 4 years.

ON THE NOMINATION OF JUDGE WILLIAM BASSLER TO SERVE ON THE U.S. DISTRICT COURT, DISTRICT OF NEW JERSEY

Mr. LAUTENBERG. Mr. President, I rise to support the nomination of New Jersey Superior Court Judge William Bassler to serve on the U.S. District Court for the District of New Jersey.

Judge Bassler was an accomplished attorney in New Jersey, and has served since 1988 as a Judge of the Superior Court of New Jersey, the general trial court in our State.

Judge Bassler is a graduate of St. Charles College Seminary and Fordham University. He received his J.D. from Georgetown University Law Center in 1963 and an LL.M. from New York University in 1969.

He served as a clerk to then appellate division Judge Mark Sullivan, and then entered the private practice of law in Monmouth County, N.J.

He was an associate and then a partner in the law firm of Parsons, Canzona, Blair & Warren until 1970, when he became a partner in the law firm of Labrecque, Parsons & Bassler. In 1983, he joined as a partner of Evans, Koelzer, Osborne, Kreizman & Bassler. And in 1984 until his ascension to the bench, he was a partner in Carton, Nary, Witt & Arvanitis.

Judge Bassler's practice was primarily in civil law, before the State courts. His areas of expertise were in the areas of local governmental law; real estate; trusts and estates; and insurance law, which he practiced as general counsel for a local insurance company. He served as borough counsel to Red Bank, N.J., and to local zoning boards.

After briefly serving in the law division of superior court, Judge Bassler has served since September 1988 in the chancery division, family part in Monmouth County.

Mr. President, the family court brings out the human side of judging—a side we sometimes lose sight of. In tragic cases of child and spousal abuse, the court is often asked to separate a

child from a parent, or a spouse from a family. In those cases, a judge is called upon to make some of the most difficult decisions one person can be asked to make. The answers are often of the sort that are found not in the law book, but in one's judgment of character, review of the facts, and sense of justice. And the public's perception of the fairness of our judicial system is shaped by how our system handles such cases.

People whom I respect have told me that Judge Bassler has performed well in the family court. He has approached his cases with a sense of humanity, and with a dedication to finding the just result.

The ABA panel that reviewed his nomination unanimously rated him qualified.

Judge Bassler recognizes that despite his accomplished career as a local attorney, and a State judge, he will, if confirmed, confront a range of new and complex legal issues.

Those familiar with his work say he has the will and the intellect to learn what he needs to know, to be the kind of judge the public deserves and expects. In my own meeting with Judge Bassler, I was impressed with his sincerity, and his commitment to the task ahead of him.

I urge my colleagues to support his confirmation.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

AUTHORIZING THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. BYRD. Mr. President, on behalf of the majority leader and the distinguished Republican leader, I send to the desk a resolution on authorization of the production of Senate records, and I ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislation clerk read as follows:

A resolution (S. Res. 179) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MITCHELL. Mr. President, a number of regulatory and law enforcement entities have requested access to documents obtained by the Permanent Subcommittee on Investigations during its recent investigation into fraud in the insurance and reinsurance industries.

In keeping with the Senate's customary practice with regard to similar requests, this resolution would authorize the Chairman and Ranking Minority Member of the Subcommittee to provide to these entities, and other regulatory and law enforcement entities that may make similar requests, Subcommittee records of its investigation into the insurance and reinsurance industries.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 179

Whereas, the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs has conducted an investigation of allegations of fraud in the insurance and reinsurance industries;

Whereas, regulatory and law enforcement entities have requested access to records of the Subcommittee's investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, acting jointly, are authorized to provide, to regulatory and law enforcement entities requesting access, records of the Subcommittee's investigation of allegations of fraud in the insurance and reinsurance industries.

Mr. BYRD. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:15 p.m., a message from the House of Representatives, delivered by Ms. Goetz, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3034. An act to amend the Temporary Child Care for Children With Disabilities and Crisis Nurseries Act of 1986 to extend the programs of such Act, and for other purposes; and

H.R. 3057. An act to amend the Drug-Free Schools and Communities Act of 1986 to revise the authorities of such Act relating to the National Diffusion Network.

The message also announced that pursuant to section 2702(a)(1)(B)(vi) of Public Law 101-509, that the Clerk of the House appoints as a member of the Advisory Committee on the Records of Congress Ms. Charlene N. Bickford of Arlington, Virginia from private life on the part of the House.

At 2:40 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the bill (S. 1106) to amend the Individuals With Disabilities Education Act to strengthen such Act, and for other purposes; with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent, and referred as indicated:

H.R. 3034. An act to amend the Temporary Child Care for Children With Disabilities and Crisis Nurseries Act of 1986 to extend the programs of such Act, and for other purposes; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SASSER, from the Committee on Appropriations, with amendments:

H.R. 2426. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1992, and for other purposes (Rept. No. 102-147).

By Mr. LAUTENBERG, from the Committee on Appropriations, with amendments:

H.R. 2942. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1992, and for other purposes (Rept. No. 102-148).

By Mr. SASSER, from the Committee on the Budget, unfavorably without amendment:

S.J. Res. 186. A joint resolution suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EXECUTIVE REPORT OF A COMMITTEE DURING ADJOURNMENT

The following executive report of a nomination was filed on August 29,

1991, during the adjournment of the Senate:

By Mr. RIEGLE, Committee on Banking, Housing, and Urban Affairs, with a printed report (Ex. Rept. 102-14):

Lawrence B. Lindsey, of Virginia, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of 14 years from February 1, 1986.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary:

Andrew J. Kleinfeld, of Alaska, to be United States Circuit Judge for the Ninth Circuit;

Eugene E. Siler, Jr., of Kentucky, to be United States Circuit Judge for the Sixth Circuit;

Benson Everett Legg, of Maryland, to be United States District Judge for the District of Maryland;

Harvey Bartle, III, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania;

Dee V. Benson, of Utah, to be United States District Judge for the District of Utah;

William G. Bassler, of New Jersey, to be United States District Judge for the District of New Jersey;

William H. Yohn, Jr., of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania;

Donald L. Graham, of Florida, to be United States District Judge for the Southern District of Florida;

Jorge A. Solis, of Texas, to be United States District Judge for the Northern District of Texas;

Michael R. Hogan, of Oregon, to be United States District Judge for the District of Oregon;

James T. Trimble, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana;

Shelby Highsmith, of Florida, to be United States District Judge for the Southern District of Florida;

Stewart R. Dalzell, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania;

J. Williams Roberts, of Illinois, to be United States Attorney for the Central District of Illinois for the term of four years;

Karen K. Caldwell, of Kentucky, to be United States Attorney for the Eastern District of Kentucky for the term of four years;

John F. Hoehner, of Indiana, to be United States Attorney for the Northern District of Indiana for the term of four years; and

Thomas B. Heffelfinger, of Minnesota, to be United States Attorney for the District of Minnesota for the term of four years;

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DASCHLE:

S. 1705. A bill to resolve claims of the Sisseton-Wahpeton Sioux Tribe of South Dakota, the Devils Lake Sioux Tribe of North Dakota, and the Sisseton-Wahpeton Sioux

Council of the Assiniboine and Sioux Tribes of Montana arising out of a judgment fund distribution; to the Committee on the Judiciary.

By Mr. FOWLER:

S. 1706. A bill to suspend temporarily the duty on pyrimethyl alcohol, metmercazole, and TAC; to the Committee on Finance.

By Mr. CONRAD (for himself and Mr. BURDICK):

S. 1707. A bill to authorize the establishment of the Fort Totten National Historic Site; to the Committee on Energy and Natural Resources.

By Mr. SANFORD (for himself, Mr. MITCHELL, Mr. PELL, Mr. NUNN, Mr. ROBB, Mr. BRADLEY, Mr. METZENBAUM, Mr. ADAMS, Mr. DODD, Mr. SARBANES, Mr. SIMON, Mr. SHELBY, Mr. AKAKA, Ms. MIKULSKI, Mr. FORD, Mr. DECONCINI, Mr. BIDEN, Mr. REID, Mr. JOHNSTON, Mr. KERRY, Mr. WELLSTONE, Mr. LEVIN, Mr. WOFFORD, Mr. FOWLER, Mr. KENNEDY, Mr. KOHL, Mr. BRYAN, Mr. BAUCUS, Mr. BINGAMAN, Mr. BOREN, Mr. BURDICK, Mr. CRANSTON, Mr. DIXON, Mr. RIEGLE, Mr. HARKIN, Mr. HEFLIN, Mr. INOUE, Mr. LIEBERMAN, Mr. DASCHLE and Mr. LAUTENBERG):

S.J. Res. 193. A joint resolution to establish a commission to commemorate the bicentennial of the establishment of the Democratic Party of the United States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

Mr. MITCHELL (for himself, Mr. DOLE, Mr. KENNEDY, Mr. WOFFORD, and Mr. SANFORD):

S. Res. 177. A resolution to honor accomplishments and express appreciation for a dedicated career in public service of the Honorable William H. Gray III, on the occasion of his resignation; considered and agreed to.

Mr. LUGAR (for himself and Mr. KENNEDY):

S. Res. 178. A resolution expressing the sense of the Senate on Chinese political prisoners and Chinese prisons; to the Committee on Foreign Relations.

Mr. BYRD (for Mr. MITCHELL, for himself and Mr. DOLE):

S. Res. 179. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CONRAD (for himself and Mr. BURDICK):

S. 1707. A bill to authorize the establishment of the Fort Totten National Historic Site; to the Committee on Energy and Natural Resources.

FORT TOTTON NATIONAL HISTORIC SITE ACT

• Mr. CONRAD. Mr. President, I rise today to introduce legislation that would designate Fort Totten, a former military post and Indian school near Devils Lake, ND, as a national historic site. I am pleased that my colleague,

Senator BURDICK, has cosponsored this bill.

The legislation is similar to a bill we introduced last year, S. 2802. The Senate Energy and Natural Resources Committee held hearings on that bill in October 1990, and the full Senate approved the bill that month.

Fort Totten State Historic Site on the shores of Devils Lake stands as a monument to the relationship between the United States Government and the American Indians. From the policy of pacification practiced during the mid-nineteenth century, to the attempt to assimilate Indians into the society's mainstream, to the mid-twentieth century effort to terminate reservations, Fort Totten reflected the Federal responses to the "Indian question."

The Park Service testified last year that there are no units of the National Park System like Fort Totten that represent the attempts by the Federal Government to assimilate Native Americans into our culture. The site is unique and nationally significant, and deserves the support of my colleagues.

Fort Totten was founded as a military installation in 1867 and closed as a reservation community school in 1959. It is one of the best preserved military posts surviving from the Indian wars in the trans-Mississippi west. Fort Totten played a significant role in American Indian history, first as an Indian agency for Indians coming to the area and then, from 1890 through 1960, as an Indian industrial school.

To the Army during the nineteenth century, the Devils Lake area appeared as an oasis. As a result of the constant water supply of Devils Lake, the region had rich vegetation, wild game, and fish. Because it was remote from the civilized centers of nineteenth century America, however, the Devils Lake region drew few white explorers in its early history. The Indian that sought the game and shelter of the Devils Lake region generally belonged to the great Sioux or Dakota nation, a tribe that traced its relations with white settlers back into the seventeenth century.

The initial spark for military activity was struck with the Great Sioux Uprising of 1862 in Minnesota. The uprising was the culmination of generations of white harassment, broken treaties, and the noticeable absence of the military due to the drain of the Civil War. Gen. Harry Hastings Sibley was sent in to quash the rebellion, and after Congress abrogated all existing treaties early in 1863, many Sioux bands migrated to areas of refuge and security and so the forest and waters of the Devils Lake area became a haven.

The War Department found that killing of whites and depredations to property posed a major threat to the expanding agricultural frontier and thus demanded a positive and forceful reaction. By the spring of 1867, the major-

ity of hostile attacks had been limited to main travel routes, mail carriers, and inter-fort communication routes. Nevertheless, the sporadic harassment of the growing and vital lines of communication and travel became an increasing concern for the military. What had been mostly incident-reprisal warfare between the whites and the Indians became a constant Sioux guerrilla war on early trade, supply, and travel routes.

In the summer of 1867, 323 soldiers of the 31st Infantry under the command of Capt. Samuel A. Wainwright built Fort Totten about 900 feet from the shore of Devils Lake. From 1867 to 1880, the post served as an important link to a chain of posts that included forts throughout the Dakotas and Montana. The last hurrah of real military action for the fort came in 1865 when the northern border regions became insecure as a result of the Riel Rebellion in Canada.

When Secretary of War Redfield Proctor submitted his Annual Report of 1890-1891, he recommended that the fort be closed due to relative calm in the region. The final military unit at Fort Totten, ten men under the direction of the last post commander, Maj. S.S. Conrad, left the post for Fort Abraham Lincoln near Mandan, ND on December 21, 1890. On the same day all post buildings were turned over to the superintendent of the Indian School at Devils Lake, and the Devils Lake Sioux opened their first school session at the abandoned post on January 19, 1891.

Fort Totten's original function had been the protection of the routes of travel and communication that grew through its jurisdiction. The men who struggled with the harsh earlier life of the prairies went about their duties protecting the first mail and travel routes and escorting the varied mapping, survey, and telegraph and rail crews. In turn, this growth provided an umbrella of protection for new communities. The garrison was a market for the new farms, a store for manufactured foods for the area's population, and a source of new settlers.

The military years of the fort, however, were only a part of the colorful history of the site. The military stage represented only 23 of the 92 years of operation. The Dawes Act of 1887 attempted to make Indians self-sufficient citizens rather than wards of the U.S. Government and emphasized the need for a system of industrial schools to be developed to speed up the process of assimilation. Fort Totten became one of those schools, and its subsequent history is a microcosm of the successes and failures of the Federal relationship with the American Indian.

Fort Totten remains significant, in part, for its magnificent physical survival. It is also significant as a result of the soldiers who lived and survived there and the Indians who struggled

with Federal policies toward Native Americans. It is significant for the life Fort Totten brought—the towns and farms that now inhabit the region. The legislation that Senator BURDICK and I are introducing today would recognize that significance by establishing Fort Totten as a National Historic Site.●

By Mr. SANFORD (for himself, Mr. MITCHELL, Mr. PELL, Mr. NUNN, Mr. ROBB, Mr. BRADLEY, Mr. METZENBAUM, Mr. ADAMS, Mr. DODD, Mr. SARBANES, Mr. SIMON, Mr. SHELBY, Mr. AKAKA, Ms. MIKULSKI, Mr. FORD, Mr. DECONCINI, Mr. BIDEN, Mr. REID, Mr. JOHNSTON, Mr. KERRY, Mr. WELLSTONE, Mr. LEVIN, Mr. WOFFORD, Mr. FOWLER, Mr. KENNEDY, Mr. KOHL, Mr. BRYAN, Mr. BAUCUS, Mr. BINGAMAN, Mr. BOREN, Mr. BURDICK, Mr. CRANSTON, Mr. DIXON, Mr. RIEGLE, Mr. HARKIN, Mr. HEFLIN, Mr. INOUE, Mr. LIEBERMAN, Mr. DASCHLE, and Mr. LAUTENBERG):

S.J. Res. 193. A joint resolution to establish a commission to commemorate the bicentennial of the establishment of the Democratic Party of the United States; to the Committee on the Judiciary.

BICENTENNIAL OF THE DEMOCRATIC PARTY

Mr. SANFORD. Mr. President, I rise today to introduce a joint resolution which would establish a commission to commemorate the bicentennial of the Democratic Party of the United States.

On May 13, 1792, the Democratic Party (first known as the Republican Party) was born, under the leadership of Thomas Jefferson, a man whose life was built around the American principles of freedom and democracy. Thus began the legacy of the oldest party in the history of the United States, and indeed, in the history of the world, to be devoted to free government "by the people and for the people." I believe that it is only fitting that we trace the roots of a party whose historical development has been so intricately bound to the history of the United States as a democratic Nation.

Our forefathers had written the Constitution, and had successfully created a skeleton for what a democratic government should stand for and should be. However, it was not until the Democratic party evolved, paving the way for a political party system, that flesh was put on this skeleton and life breathed into our Constitution. The birth of the Jeffersonian Party should not be looked upon as a historical event to be celebrated exclusively by today's Democrats; it has much greater significance than that. The original Democratic Party blazed the trail for future Democrats and Republicans alike. One can see their influence on each party that has been created since 1792, and no one could or should deny

the debt our current national political system owes to the Democratic Party of 1792 for the new ground it so bravely broke for our Nation.

I am sure that there will be similar historical celebrations taking place in the future, recognizing other crucial building blocks in the creation of our national party system. I will certainly welcome the acknowledgment of these historical events when they come about. I surely do not question the validity of a celebration of the Republican Party's history, when each and every milestone anniversary arrives.

In the early 1790's, Thomas Jefferson and James Madison emerged as the leaders of what would eventually become the first "popular party" in history. They fought the ideas of the Federalists, whose focus was on a strong, aristocratic Federal Government, yet they dissociated themselves from the anti-Federalists, whose members were opposed to any general government. Jefferson and Madison were searching for an organized form of government, but one which balanced power between the leaders and the general populace, allowing the States to exercise as much authority as possible without the interference of the Federal Government.

Jefferson described the goals of his new party as focusing on "the increase in direct popular control over the government, the widening of the right of suffrage, the limitation of the power of the Federal Government and the conservation of the powers reserved to the States by the Constitution." There is no question that Jefferson and the other founding members of the Democratic Party in America had a major impact on our country's struggle for a free government, and I would like to ensure that their role is not forgotten.

For this reason, I propose that we establish a commission to celebrate this anniversary and to educate the American public on this national heritage. It is my hope that this commission will organize events all around the country to remember and renew our Nation's dedication to the goals and purposes which Jefferson, Madison, and others had in mind when they formed the Democratic Party.

An awareness of the history of the Democratic Party is essential to a true knowledge of the history of our country. This 200th anniversary presents a rare opportunity for initiating a nationwide, year-long history lesson, through which all Americans may become better acquainted with their Nation's past.

This commission will organize celebratory events all around the country to commemorate this bicentennial and tell the story of the Democratic Party. Throughout 1992, there will be festivities at Hyde Park, Independence, Nashville, and other shrines, as well as at the Jefferson Memorial, Monticello

and numerous other sites of significance to the Democratic Party.

The commission will include up to 20 members, to be appointed by the Majority Leader of the Senate, the Speaker of the House of Representatives, the Chairman of the Democratic Governors' Conference, and the Chairman of the Democratic National Committee. It will be privately funded, and will work to coordinate and oversee all of the bicentennial activities and events for 1992.

Mr. President, I believe that it is appropriate and worthwhile to establish a commission to commemorate the 200th anniversary of the Democratic Party. The birth of this party on May 13, 1792, which emphasized the "power of the people" to run their own government, is of profound importance to our country's development as a free and just nation. I believe that the Democratic Party, its founders, and those who have carried on its policies, purposes and traditions, deserve to be remembered and honored during the bicentennial celebration year of 1992.

ADDITIONAL COSPONSORS

S. 68

At the request of Mr. THURMOND, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 68, a bill to amend title 10, United States Code, to authorize the appointment of chiropractors as commissioned officers in the Armed Forces to provide chiropractic care, and to amend title 37, United States Code, to provide special pay for chiropractic officers in the Armed Forces.

S. 98

At the request of Mr. WOFFORD, his name was added as a cosponsor of S. 98, a bill to amend the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1989.

S. 301

At the request of Mr. WOFFORD, his name was added as a cosponsor of S. 301, a bill to amend the Trade Act of 1974 to strengthen and expand the authority of the United States Trade Representative to identify trade liberalization priorities, and for other purposes.

S. 447

At the request of Mr. THURMOND, the names of the Senator from Iowa [Mr. GRASSLEY], and the Senator from Nebraska [Mr. EXON] were added as cosponsors of S. 447, a bill to recognize the organization known as The Retired Enlisted Association, Incorporated.

S. 493

At the request of Mr. KENNEDY, the names of the Senator from Vermont [Mr. LEAHY], the Senator from Maine [Mr. COHEN], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 493, a bill to amend the Public Health Service Act to improve

the health of pregnant women, infants and children through the provision of comprehensive primary and preventive care, and for other purposes.

S. 542

At the request of Mr. GRASSLEY, the names of the Senator from Colorado [Mr. BROWN], the Senator from New Hampshire [Mr. SMITH], the Senator from Utah [Mr. HATCH], and the Senator from Idaho [Mr. CRAIG] were added as cosponsors of S. 542, a bill to amend the Internal Revenue Code of 1986 to restore the deduction for interest on educational loans.

S. 596

At the request of Mr. MITCHELL, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 596, a bill to provide that Federal facilities meet Federal and State environmental laws and requirements and to clarify that such facilities must comply with such environmental laws and requirements.

S. 765

At the request of Mr. BREAUX, the names of the Senator from Oklahoma [Mr. NICKLES], the Senator from Utah [Mr. HATCH], the Senator from New Hampshire [Mr. SMITH], and the Senator from South Carolina [Mr. HOLINGS] were added as cosponsors of S. 765, a bill to amend the Internal Revenue Code of 1986 to exclude the imposition of employer social security taxes on cash tips.

S. 846

At the request of Mr. PRYOR, the name of the Senator from Arizona [Mr. DECONCINI] was added as a cosponsor of S. 846, a bill to amend title XIX of the Social Security Act to establish Federal standards for long-term care insurance policies.

S. 866

At the request of Mr. BREAUX, the names of the Senator from Utah [Mr. GARN], and the Senator from Indiana [Mr. LUGAR] were added as cosponsors of S. 866, a bill to amend the Internal Revenue Code of 1986 to clarify that certain activities of a charitable organization in operating an amateur athletic event do not constitute unrelated trade or business activities.

S. 1226

At the request of Mr. JEFFORDS, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 1226, a bill to direct the Administrator of the Environmental Protection Agency to establish a small community environmental compliance planning program.

S. 1318

At the request of Mr. HATFIELD, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 1318, a bill to amend the Solid Waste Disposal Act so as to protect the environment from discarded beverage containers; to reduce solid waste and the cost in connection with the disposal of

such waste through recycling; and for other purposes.

S. 1357

At the request of Mr. BREAUX, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 1357, a bill to amend the Internal Revenue Code of 1986 to permanently extend the treatment of certain qualified small issue bonds.

S. 1398

At the request of Mr. REID, the names of the Senator from Montana [Mr. BURNS], the Senator from Missouri [Mr. DANFORTH], the Senator from Florida [Mr. MACK], the Senator from Arkansas [Mr. PRYOR], and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 1398, a bill to amend section 118 of the Internal Revenue Code of 1986 to provide for certain exceptions from certain rules for determining contributions in aid of construction.

S. 1441

At the request of Mr. COCHRAN, the name of the Senator from Illinois [Mr. DIXON] was added as a cosponsor of S. 1441, a bill to provide disaster assistance to agricultural producers, and for other purposes.

S. 1466

At the request of Mr. ROTH, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 1466, a bill to amend the Congressional Budget Act of 1974 to ensure the neutrality of the Congressional Budget Office.

S. 1505

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 1505, a bill to amend the law relating to the Martin Luther King, Jr. Federal Holiday Commission.

S. 1562

At the request of Mr. BRADLEY, the names of the Senator from South Dakota [Mr. DASCHLE], the Senator from North Dakota [Mr. CONRAD], the Senator from North Carolina [Mr. SANFORD], the Senator from Virginia [Mr. ROBB], the Senator from Nevada [Mr. REID], and the Senator from California [Mr. CRANSTON] were added as cosponsors of S. 1562, a bill to amend the Higher Education Act of 1965 to establish a higher education loan program in which the amount of a student's loan repayment is contingent upon such student's income, and for other purposes.

S. 1572

At the request of Mr. BREAUX, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 1572, a bill to amend title XVIII of the Social Security Act to eliminate the requirement that extended care services be provided not later than 30 days after a period of hospitalization of not fewer than 3 consecutive days in order to be covered under part A of the medicare program, and to expand home health services under such program.

S. 1578

At the request of Mr. THURMOND, the names of the Senator from Florida [Mr. GRAHAM], the Senator from Florida [Mr. MACK], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Maine [Mr. COHEN], and the Senator from Alabama [Mr. SHELBY] were added as cosponsors of S. 1578, a bill to recognize and grant a Federal charter to the Military Order of World Wars.

S. 1700

At the request of Mr. LUGAR, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 1700, a bill to amend the Food Stamp Act of 1977 to modify the application of such act to disabled railroad annuitants, and for other purposes.

SENATE JOINT RESOLUTION 18

At the request of Mr. SIMON, the names of the Senator from Louisiana [Mr. BREAUX], the Senator from Illinois [Mr. DIXON], and the Senator from California [Mr. SEYMOUR] were added as cosponsors of Senate Joint Resolution 18, a joint resolution proposing an amendment to the Constitution relating to a Federal balanced budget.

SENATE JOINT RESOLUTION 38

At the request of Mr. THURMOND, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of Senate Joint Resolution 38, a joint resolution to recognize the "Bill of Responsibilities" of the Freedoms Foundation at Valley Forge.

SENATE JOINT RESOLUTION 39

At the request of Mr. THURMOND, the names of the Senator from North Dakota [Mr. BURDICK], the Senator from California [Mr. CRANSTON], and the Senator from Delaware [Mr. BIDEN] were added as cosponsors of Senate Joint Resolution 39, a joint resolution to designate the month of September 1991, as "National Awareness Month for Children with Cancer".

SENATE JOINT RESOLUTION 131

At the request of Mr. LUGAR, the names of the Senator from Florida [Mr. GRAHAM], and the Senator from Missouri [Mr. BOND] were added as cosponsors of Senate Joint Resolution 131, a joint resolution designating October 1991 as "National Down Syndrome Awareness Month".

SENATE JOINT RESOLUTION 136

At the request of Mr. RIEGLE, the name of the Senator from Kansas [Mr. DOLE] was added as a cosponsor of Senate Joint Resolution 136, a joint resolution to authorize the display of the POW-MIA flag on flagstaffs at the national cemeteries of the United States, and for other purposes.

SENATE JOINT RESOLUTION 139

At the request of Mr. THURMOND, the names of the Senator from Minnesota [Mr. DURENBERGER], the Senator from Montana [Mr. BURNS], and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of Senate Joint Resolution 139, a joint resolution

to designate October 1991, as "National Lock-In-Safety Month."

SENATE JOINT RESOLUTION 176

At the request of Mr. DIXON, the names of the Senator from Michigan [Mr. LEVIN], and the Senator from Vermont [Mr. JEFFORDS], were added as cosponsors of Senate Joint Resolution 176, a joint resolution to designate March 19, 1992, as "National Women in Agriculture Day."

SENATE JOINT RESOLUTION 188

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of Senate Joint Resolution 188, a joint resolution designating November 1991, as "National Red Ribbon Month."

SENATE RESOLUTION 166

At the request of Mr. COATS, the names of the Senator from Wisconsin [Mr. KASTEN], the Senator from North Carolina [Mr. HELMS], the Senator from Missouri [Mr. BOND], the Senator from Montana [Mr. BURNS], and the Senator from Wyoming [Mr. WALLOP] were added as cosponsors of Senate Resolution 166, a resolution expressing the sense of the Senate that, in light of current economic conditions, the Federal excise taxes on gasoline and diesel fuel should not be increased.

SENATE RESOLUTION 175

At the request of Mr. PRESSLER, the name of the Senator from Kansas [Mr. DOLE] was added as a cosponsor of Senate Resolution 175, a resolution to support the activities of the Peace Corps in Estonia, Latvia, and Lithuania.

AMENDMENT NO. 1112

At the request of Mr. HARKIN, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of Amendment No. 1112 proposed to H.R. 2707, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1992, and for other purposes.

Mr. KERREY. Mr. President, please let the CONGRESSIONAL RECORD reflect that, as of August 2, 1991, my name has been removed from the list of cosponsors to S. 1192.

SENATE RESOLUTION 177—RELATIVE TO THE RESIGNATION OF THE HONORABLE WILLIAM H. GRAY III

Mr. MITCHELL (for himself, Mr. DOLE, Mr. KENNEDY, Mr. WOFFORD, and Mr. SANFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 177

Whereas, William H. Gray III was elected to serve in the United States House of Representatives in 1979 as the Representative of the people of the 2nd Congressional District in Pennsylvania.

Whereas, William H. Gray has served the people of his Congressional District with enthusiasm, distinction and compassion.

Whereas, during his tenure in the House of Representatives, William H. Gray has served with noted excellence on Congressional Committees including the Committee on Appropriations, Committee on the District of Columbia and the Committee on House Administration.

Whereas, Mr. Gray's service as Chairman of the Committee on the Budget and as a Majority Whip was especially distinguished.

Whereas, Mr. Gray's legislative acumen and personal affability have rendered him greatly admired and well prepared by his colleagues in the House of Representatives and in other circles throughout the United States and abroad.

Whereas, William H. Gray's participation, presence and leadership will be missed in the Congress: Now, therefore, be it

Resolved, That it is the sense of the Senate that the outstanding legislative and personal achievements of William H. Gray III should be duly recognized.

SENATE RESOLUTION 178—RELATIVE TO CHINESE POLITICAL PRISONERS AND CHINESE PRISONERS

Mr. LUGAR (for himself and Mr. KENNEDY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 178

Whereas, in February 1991, the Government of the People's Republic of China sentenced the co-founders of the Beijing Social and Economic Science Research Institute, Wang Juntao and Chen Ziming, to 13 years in prison on charges of sedition for "masterminding" the 1989 pro-democracy movement;

Whereas Wang Juntao and Chen Ziming had peacefully engaged in the exercise of their internationally recognized human rights of free expression and association;

Whereas, since April 1991, these two courageous men have been held in punitive solitary confinement in Beijing Prison No. 2 in squalid, inhumane, and unsanitary conditions;

Whereas the Government of China has denied Wang Juntao's many requests for improved diet and living conditions and access to adequate medical care, in disregard of his serious liver disease and declining health, and it has been impossible to verify Government claims that he is receiving improved treatment;

Whereas the Government of China has denied to Members of Congress, the United States State Department, human rights groups, and others that Wang Juntao and Chen Ziming are in poor health;

Whereas the Government of China has refused regular access to Wang or Chen by their relatives since both men began a hunger strike on August 14 to protest their solitary confinement and to demand proper medical care;

Whereas Wang Juntao's life is in danger unless he is granted immediate medical parole, as allowed under Chinese law;

Whereas Chen Ziming is also ill due to the poor conditions of his confinement;

Whereas the United States Government has denounced Wang's trial and protested the harsh treatment suffered by Wang and Chen, but the Government of China has thus far not responded to low-level United States appeals; and

Whereas the Government of China has an international responsibility to respect and

uphold the rights of all of its citizens: Now, therefore, be it

Resolved, That the Senate hereby urges the President—

(1) to communicate directly to the leadership of the Government of the People's Republic of China the urgent concern of the Congress and American people for the life and welfare of Wang Juntao and Chen Ziming and to call for their immediate release from prison on medical parole so that they may receive treatment by independent physicians of their choosing; and

(2) to request the Secretary General of the United Nations to use his good offices to urge Beijing officials to provide quality medical care for all political prisoners, including Wang Juntao and Chen Ziming, and to dispatch representatives of the United Nations Human Rights Commission to China to assess and report on the treatment of political prisoners and the general condition of Chinese prisons.

• Mr. LUGAR. Mr. President, today I am happy to be joined by my colleague, Senator KENNEDY, in introducing a Senate resolution expressing our deep concern for the plight and well-being of Wang Juntao and Chen Ziming, two leaders of the democracy movement in China who are now imprisoned in China.

Both Wang and Chen are incarcerated as political prisoners in China and have been subjected to excessively harsh treatment by Chinese prison officials. These two individuals, along with thousands of other brave Chinese citizens, were leading organizers of the historic demonstrations for democracy in Tiananmen Square culminating in the brutal violence in June 1989.

There have been numerous reports, including opinion editorials, from various credible sources describing the prolonged hunger strike by both Wang and Chen to protest their shabby treatment by Chinese prison authorities in Beijing Number 2 Prison. These reports have been confirmed by the Department of State. All describe the deplorable record: the denial of adequate medical treatment for both Wang and Chen who have been in poor health, the refusal of regular family visits, solitary confinement, and conditions of poor sanitation and other substandard treatment.

Both Wang and Chen have been treated badly because they were principal organizers of the Chinese pro-democracy movement in spring of 1989. A third leader, Mr. Li Lu, a young courageous man, is now a graduate student here in the United States. His hunger strike here in Washington, DC in recent weeks dramatized the extent to which the pro-democratic forces are still active inside and outside China.

It is unconscionable that Wang and Chen were sentenced to long periods of confinement solely because of their political convictions and their willingness to act them out in a peaceful manner. It is even more deplorable that Chinese officials have resorted to cruel and inhuman treatment in contraven-

tion of normally acceptable standards of human rights and decency. It is excessive punishment being meted out on top of excessive sentences which, themselves, were not justified.

This resolution urges the President of the United States to directly raise with the relevant Chinese officials the status and treatment of Wang and Chen and to seek improvements in prison treatment of all political prisoners. The resolution further urges the President to seek the assistance of the good offices of the Secretary General of the United Nations to help remedy the abuse of individual rights of political prisoners in China. It also urges the Secretary General to dispatch representatives of the United Nations Human Rights Commission to assess and report on the conditions and treatment of all political prisoners in the Chinese prison system.

No one can deny the courage and conviction of these pro-democracy leaders. I am encouraged in recent days by signs that Chinese officials may be rethinking the harsh treatment given to political prisoners, specifically Wang Juntao and Chen Ziming. I urge the Chinese leadership to respond to the worldwide plea for more humane treatment of political prisoners.

Human rights remains a very serious irritant in U.S.-Sino relations that can be eased by removing official prison practices which are in clear violation of generally accepted international standards. Chinese steps to improve prison conditions would be a very good place to start.

Mr. President, I have been someone who has sought to maintain working relations with China and to forestall any sudden deterioration in relations between our two countries because our ties are so fundamental to peace and stability in the world. For this reason and for the sake of fundamental humanitarianism, I urge the Chinese leadership to seriously consider easing up on its harsh treatment of political prisoners, to end the punitive treatment of Wang and Chen, and to grant amnesty to Wang, Chen, and other political prisoners now in prison. If the Chinese leadership takes such steps, the potential positive effects of improved relations between our country and China could be significant.

Mr. President, I am honored to be joined in introducing this resolution by Senator KENNEDY whose record on human rights around the world has few parallels. We introduce this resolution with the hope that all members of this body will join me as cosponsors.*

Mr. KENNEDY. Mr. President, the imprisonment, torture, and execution of members of the pro-democracy movement in China make it more important than ever for Americans to take a strong stand with the forces of freedom in that country.

The resolution that Senator LUGAR and I are introducing today emphasizes

America's deep concern over the mistreatment of democratic leaders Wang Juntao and Chen Ziming and other political prisoners now languishing in Chinese prisons.

In February, 1991, the Government of China sentenced Mr. Wang and Mr. Chen, co-founders of the Beijing Social and Economic Science Research Institute, to 13 years in prison for masterminding the 1989 pro-democracy movement in Tiananmen Square—punishing them for exercising their internationally-recognized human rights of freedom of expression and association.

The Chinese Government has subjected both men to prolonged periods of solitary confinement in inhumane and unsanitary conditions, denied them access to adequate medical care, and prohibited family visits. Both are in poor health, and Mr. Wang is suffering from a life-threatening liver disease.

Since August, Mr. Wang and Mr. Chen have been on a hunger strike to protest their treatment, and their cause has received considerable international attention. The Department of State recently requested the Government of China to grant an amnesty for Mr. Wang, Mr. Chen, and all other political prisoners, and to end the trials of remaining political detainees.

Under China's penal code, Mr. Wang and Mr. Chen could be granted medical parole in order to receive better medical care. Their requests for such parole, however, have been turned down.

Our Senate resolution urges President Bush to raise the issue of political prisoners and the status of Mr. Wang and Mr. Chen with Chinese officials. In addition, it asks the President to encourage the Secretary General of the United States to urge the Chinese Government to provide decent medical care to all prisoners, and to send representatives of the United Nations Human Rights Commission to China to report on the treatment of political prisoners and the condition of Chinese prisons.

Congress must continue to take a strong stand against the repression of democratic forces and the denial of human rights in China. If America is to retain its role as the leader of the free world, we should be in the forefront of supporting the Chinese people in their continuing struggle to achieve the ideals of freedom and democracy upon which our own country is founded.

I urge my colleagues to join me in supporting this important legislation.

SENATE RESOLUTION 179—AUTHORIZING THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. BYRD (for Mr. MITCHELL, for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 179

Whereas, the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs has conducted an investigation of allegations of fraud in the insurance and reinsurance industries;

Whereas, regulatory and law enforcement entities have requested access to records of the Subcommittee's investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, acting jointly, are authorized to provide, to regulatory and law enforcement entities requesting access, records of the Subcommittee's investigation of allegations of fraud in the insurance and reinsurance industries.

AMENDMENTS SUBMITTED

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1992

HATCH (AND KASTEN) AMENDMENT NO. 1109

Mr. HARKIN (for Mr. HATCH, for himself and Mr. KASTEN) proposed an amendment to the bill (H.R. 2707) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1992, and for other purposes, as follows:

On page 29, line 21, insert before the period the following: "Provided, That \$2,000,000 of the funds available under this heading, which would otherwise have been made exclusively available for carrying out programs through the Office of Substance Abuse Prevention, shall be transferred for the purpose of providing technical assistance to small and medium-sized business on the establishment of workplace substance abuse programs which shall be administered cooperatively between the Office of Substance Abuse Prevention and the Department of Labor".

DOLE AMENDMENTS NO. 1110 AND 1111

Mr. HARKIN (for Mr. DOLE) proposed two amendments to the bill H.R. 2707, supra, as follows:

AMENDMENT No. 1110

On page 43, line 6, after the colon insert the following: "Provided further, That of the amounts made available under this heading, \$450,000 shall be used for making grants and

entering into contracts under section 411 of the Older Americans Act of 1965 (42 U.S.C. 3031) to establish a program under which professional and service providers (including family physicians and clergy) will receive training—

“(1) comprised of—

“(A) intensive training regarding normal aging, recognition of problems of aging persons, and communication with the mental health network; and

“(B) advanced clinical training regarding means of assessing and treating the problems described in paragraph (1);

“(2) provided by—

“(A) faculty and graduate students in programs of human development and family studies at a major university;

“(B) mental health professionals; and

“(C) nationally recognized consultants in the area of rural mental health; and

“(3) held in county hospital sites throughout the State in which the program is based: *Provided further*, That \$500,000 of the funds available under this heading shall be used for making grants and entering into contracts under section 162 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6082) to establish innovative approaches to consumer-responsive personal assistance service, which shall enhance opportunities for individuals with disabilities to live independent and productive lives with full inclusion in their community”.

AMENDMENT NO. 1111

On page 57, line 3, insert before the period: “*Provided*, That, until October 1, 1992, the funds appropriated to carry out section 711 of the Rehabilitation Act of 1973 (29 U.S.C. 796e) shall be used to support persons currently receiving grants under the section”.

STEVENS (AND INOUE) AMENDMENT NO. 1112

Mr. HARKIN (for Mr. STEVENS, for himself, Mr. INOUE, and Mr. CRANSTON) proposed an amendment to the bill H.R. 2707, supra, as follows:

On page 23, line 4, before the period, insert the following: “*Provided further*, That within the funds provided under this heading the Institute shall establish a Matsunaga-Conte Prostate Cancer Research Center”.

SIMON (AND HARKIN) AMENDMENT NO. 1113

Mr. HARKIN (for Mr. SIMON, for himself, and Mr. HARKIN) proposed an amendment, which was subsequently modified, to the bill H.R. 2707, supra, as follows:

At the appropriate place, insert the following:

SEC. . (a) The Senate finds that—

(1) Since the 1990 budget summit agreement, extraordinary events in the world, particularly in Central Europe and the former Soviet Union, may provide our country with an opportunity to reexamine the broad spending priorities embodied in the 1990 budget summit agreement.

(b) It is the sense of the Senate that the President of the United States and the Democratic and Republican leadership of the Congress should consider establishing new priorities. If it is so determined, based on current and changing world events, the defense spending path negotiated in the 1990 summit could be reduced in the future, then any such reduction should be made available

for reducing Federal budget deficits, reducing Federal tax burdens, increasing domestic spending, or any combination thereof.

HELMS (AND NICKLES) AMENDMENT NO. 1114

Mr. HELMS (for himself and Mr. NICKLES) proposed an amendment, which was subsequently modified, to the bill H.R. 2707, supra, as follows:

On page 25, line 8, strike the figure before the period and insert the following: “\$523,826,000: *Provided, however*, That funds made available under this heading to conduct the SHARP survey of adult sexual behavior and the American Teenage Survey of adolescent sexual behavior shall instead be expended, at the same outlay rate, to carry out title XX of the Public Health Service Act.”.

ADAMS AMENDMENT NO. 1115

Mr. ADAMS proposed an amendment to the bill H.R. 2707, supra, as follows:

On page 57, line 3, before the period, insert the following: “*Provided*, That of the funds made available under this heading, no less than \$1,400,000 shall be for the full funding of orthotics and prosthetics training programs”.

COCHRAN (AND HELMS) AMENDMENT NO. 1116

Mr. COCHRAN (for himself, Mr. HELMS, Mr. KASTEN, and Mr. BUMPERS) proposed an amendment to the bill H.R. 2707, supra, as follows:

On page 9, line 10, strike out “\$231,326,000,” and insert in lieu thereof the following: “\$231,326,000, none of which shall be expended by the Secretary of Labor to implement or enforce model garment regulations or model garment enforcement policy promulgated under the Fair Labor Standards Act of 1938 (20 U.S.C. 201 et seq.), provided that the model garment program comply with the following:

- (1) The employee's work is voluntary.
- (2) The patterns, fabrics, and notions are provided by the employers at no cost to the employees.
- (3) The employees retain ownership of the model garments after the display period.
- (4) The model garments are in fabrics, styles and sizes determined by the employees to be appropriate for the employees' use.

DOLE (AND KASSEBAUM) AMENDMENT NO. 1117

Mr. COCHRAN (for Mr. DOLE, for himself and Mrs. KASSEBAUM) proposed an amendment to the bill H.R. 2707, supra, as follows:

On page 54, line 4, insert before the period the following: “*Provided further*, That the Secretary of Education shall treat States as being in compliance with the regulations under section 5(d)(2) of the Act of September 30, 1950 (Public Law 81-874), if such States utilize equalization formulas, based upon the wealth-neutrality standard as contained in section 222.64 of title 34, Code of Federal Regulations, that the Secretary has not previously determined to be in noncompliance with such regulations.

HATCH (AND HELMS) AMENDMENT NO. 1118

Mr. COCHRAN (for Mr. HATCH, for himself and Mr. HELMS) proposed an amendment to the bill H.R. 2707, supra, as follows:

On page 19, line 5, after the number 3302 add the following: “*Provided further*, That of the amounts made available under this paragraph to the Health Resources and Services Administration, the Secretary of Health and Human Services shall, after consultation with the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, transfer \$2,900,000 to carry out section 339 of the Public Health Service Act”.

SMITH AMENDMENT NO. 1119

Mr. HARKIN (for Mr. SMITH) proposed an amendment to the bill H.R. 2707, supra, as follows:

On page 22, line 19, insert before the period a colon and the following: “*Provided further*, That it is the sense of the Senate that none of the funds appropriated pursuant to this paragraph for “counseling, testing, and partner notification grants” in connection with the human immunodeficiency virus shall be distributed pursuant to title IIIA of the Ryan White Comprehensive AIDS Resources Emergency Act of 1990”.

HELMS AMENDMENT NO. 1120

Mr. HELMS proposed an amendment to the bill H.R. 2707, supra, as follows:

On page 61, line 7, insert after the word “student” a colon and the following: “*Provided further*, no person incarcerated in a federal or state penal institution shall receive any funds appropriated to carry out subpart 1 of part A of title IV of the Higher Education Act of 1965”.

KERREY AMENDMENT NO. 1121

Mr. KERREY proposed an amendment to the bill H.R. 2707, supra, as follows:

On page 54, in line 4, insert before the period the following: “, except that any percentage increase or decrease in the cost of an equivalent level of education described in section 3(d)(2)(B)(i) shall be multiplied by two in making such determinations under section 3(d)(2)(B)”.

SEYMOUR AMENDMENT NO. 1122

Mr. SEYMOUR proposed an amendment, which was subsequently modified, to the bill H.R. 2707, supra, as follows:

On page 29, line 21 before the period, insert the following: “*Provided further*, That within the funds made available under this heading the Secretary shall, after consultation with the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, allocate no less than \$60,000,000 to be spent for competitive demonstration projects serving pregnant and postpartum addicts and their infants”.

DEPARTMENT OF THE INTERIOR
AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR
1992

BYRD (AND NICKLES) AMENDMENT
NO. 1123

Mr. BYRD (for himself and Mr. NICKLES) proposed an amendment to the bill (H.R. 1123) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes, as follows:

On page 2, line 11, strike "\$537,049,000" and insert in lieu thereof "\$537,199,000".

On page 11, line 22, strike "\$95,465,000" and insert in lieu thereof "\$96,275,000".

On page 13, line 8, strike "\$85,530,000" and insert in lieu thereof "\$84,720,000".

On page 16, line 19, strike "\$949,724,000" and insert in lieu thereof "\$950,274,000".

On page 17, line 16, before the period, insert the following: "Provided further, That of the funds provided herein, \$65,000 available for a cooperative agreement with the Susan LeVesche Picotte Center".

On page 18, line 22, strike "\$194,797,000" and insert in lieu thereof "\$199,397,000".

On page 20, line 23, before the period, insert the following: "Provided further, That of the funds available under this head for emergency, hardship, and inholdings, \$850,000 shall be available for the acquisition of the Shipley and Grandview Schools in Harpers Ferry, West Virginia".

On page 27, line 3, delete "\$136,400,000" and insert in lieu thereof a new italic number of "\$68,200,000".

On page 27, line 7, before the period, insert the following: "Provided further, That in accordance with section 6004(c) of Public Law 101-380, the Oil Pollution Act of 1990, \$21,000,000 shall be made available as compensation in full, including interest, to the State of Louisiana and its lessees for net drainage of oil and gas resources by the United States and its lessees occurring as of September 1, 1988 in the West Delta Field of the Outer Continental Shelf, as determined in the Third Party Factfinder Louisiana Boundary Study dated March 21, 1989".

On page 35, line 12, before the period, insert the following: "Provided further, That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended".

On page 35, line 24, strike "\$431,741,000" and insert in lieu thereof "\$431,541,000".

On page 36, line 22, before the period, insert the following: "Provided further, That funds for Self-Governance Compact tribes may be transferred to the Operation of Indian Programs appropriation without further action by Congress".

On page 38, line 16, strike "\$92,798,000" and insert in lieu thereof "\$93,308,000".

Also on page 38, line 16, before the period, insert the following: "Provided further, That funds for Self-Governance Compact tribes may be transferred to the construction appropriation without further action by Congress".

On page 76, line 25, before the period, insert the following: "Provided further, That the funds provided under this head in fiscal year 1991 for the purchase of supercomputer time needed for Fossil Energy programmatic pur-

poses shall be provided as a grant to the University of Nevada-Las Vegas".

On page 84, line 1, strike "\$243,000,000" and insert in lieu thereof "\$179,000,000".

On page 85, line 4, strike "\$144,000,000" and insert in lieu thereof "\$141,000,000".

The following technical corrections:

On page 18, line 23, line type "11,200,000" and insert new italic number of "\$9,340,000".

On page 19, line 10, after the parenthesis, should be italic print through line 12 before the "":

On page 35, line 24, insert in italic "\$" before the "431,741,000".

On page 61, line 7, the italic number should read: "\$84,270,000".

On page 66, line 19, line type "99-714" and insert new italic reference of "102-116".

On page 76, line 12, the italic number should read: "\$462,015,000".

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for my colleagues and the public that a field hearing has been scheduled before the Committee on Energy and Natural Resources.

The purpose of the hearing is to receive testimony on S. 1671, the Waste Isolation Pilot Plant Land Withdrawal Act of 1991.

The hearing will take place on Saturday, September 21 from 1 p.m. to 5 p.m. at the APS/TVI Board Room, 717 University Boulevard SE, Albuquerque, NM.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the printed hearing record should send their comments to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510, Attention: Mary Louise Wagner.

For further information, please contact Mary Louise Wagner of the committee staff at 202/224-7569.

AUTHORITY FOR COMMITTEES TO
MEET

SUBCOMMITTEE ON ENVIRONMENTAL
PROTECTION

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Environmental Protection, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Thursday, September 12, beginning at 10 a.m., to conduct a hearing on the waste management provisions of S. 976, the Resources Conservation and Recovery Act Amendments of 1991—including special wastes, municipal waste and ash disposal, native American Indian waste issues, industrial waste, and hazardous waste recycling issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BYRD. Mr. President, the Committee on Veterans' Affairs would like

to request unanimous consent to hold a markup on legislation authorizing marriage and family counseling for veterans of the Persian Gulf War (S. 1553), on Thursday, September 12, 1991, at 9:30 a.m. in SR-418.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Consumer, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on September 12, 1991, at 10 a.m. on S. 640, the Product Liability Fairness Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Thursday, September 12, 1991, at 10 a.m. to receive testimony on the base closure recommendation process: Loring Air Force Base, ME.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, September 12, at 10 a.m. to hold an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Securities of the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate, Thursday, September 12, 1991, at 9:30 a.m. to conduct a hearing on the activities of Salomon Brothers, Inc. in Treasury bond auctions.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, September 12, at 10 a.m. to hold a hearing on the nomination of Judge Clarence Thomas.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 2 p.m., September 12, 1991, to receive testimony on title XVII of H.R. 429, the Reclamation Projects Authorization and Adjustment Act of 1991, and S. 1501, the Reclamation Reform Act of 1991.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that the Small Business Committee be authorized to meet during the session of the Senate on Thursday, September 12, 1991, at 10:30 a.m. The committee will hold a full committee hearing to examine the issue of pension expansion and simplification.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 12, 1991, at 11 a.m. to hold a hearing on the President's trade agreement proposing most-favored-nation trade status for the Soviet Union.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TAXATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Taxation of the Committee on Finance be authorized to meet during the session of the Senate on September 12, 1991, at 2 p.m. to hold a hearing on tax simplification proposals, including S. 1394, H.R. 2777, and S. 1364.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

B-2 BOMBER TERMINATION

• Mr. LEAHY. Mr. President, on August 1, 1991, I offered an amendment to terminate production of the B-2 bomber program. Unfortunately, Senator ALAN CRANSTON, a consistent opponent of the Stealth bomber, was not listed as an original cosponsor to my amendment. I would like all Senators and their staffs to know that Senator CRANSTON has been a leader in the effort to halt the B-2 and his name should have been included on the list of original cosponsors.

TRIBUTE TO ALBANY

• Mr. McCONNELL. Mr. President, I rise today to highlight the small town of Albany, situated in the Appalachian foothills of southern Kentucky.

Albany is often overlooked by travelers even though it is a town rich in the beauty of its natural surroundings. Not only is this a town abounding in beauty, but also one vibrant in history. Two Kentucky Governors, Thomas Bramlette and Preston Leslie, were born in Clinton County, along with the notorious Civil War guerrilla "Champ" Ferguson, who historians have claimed was "an excellent fighter who was also quite fond of liquor and women."

Recently, Albany has been experiencing a miniboom in its economy due to the recent discovery of the State's largest oil well on Jack Ferguson's farm. The discovery has sparked a

growing amount of economic investment in the town and its residents. Farmers who once staggered under economic strain are now able to lease their land for more than it would sell.

An improving economy in Albany is coupled with education reform under way in the county's public schools. In the past 6 years, the schools have risen from last out of 183 schools to 123d out of 177, and they continue to improve.

Although the economy may stagnate from time to time, most residents would not have it any other way. "Look at what happened to Somerset," says Eva Conner, a local historian. "It's a nightmare going in there. Living here is great, but if you bring all this industry and all this traffic, it becomes a less desirable place to live." This sums up a common view among Albany's 2,062 residents.

Many people take pride in being from Albany. They enjoy the distance from a metropolitan town, and the lack of outside business gives the town an old-fashioned look. These factors and traffic patterns allow for the town to remain just the way the residents like it—quiet and undisturbed.

I ask that an article pertaining to Albany be printed in the RECORD.

The article follows:

OIL BOOMS GIVE A NEEDED LIFT TO PLACE
WITH HIGH JOBLESS RATE AND LOW WAGES
(By Kirsten Haukebo)

On a still day, especially if the price is \$20 a barrel or more, you can catch a whiff of crude oil pumping as fast as machines and Mother Nature will allow.

"It does have a tremendously good smell to it," said Jack Ferguson, a farmer whose land just south of Albany contains the biggest oil well in state history. Struck last September, the well spewed an average of 1,800 barrels a day for 100 days even without a pump.

Since then, and especially when the price of oil doubled during the Persian Gulf War, Albany has experienced a mini-boom in oil exploration. Oil wells dot the surrounding fields and farms.

The activity is confined to a smaller area than in the oil heydays of the 1940s, 1960s and early 1980s, but residents are seeing effects. Farmers, able to lease their land now for more than it's worth to buy, are driving new cars. Ferguson used some of his money to put high-quality fencing around his property.

Syndicated Options Ltd., which struck the Ferguson well, apparently got caught up in the oil fever. The Austrian company placed a sign at the end of Ferguson's road: Biggest Oil Well in the U.S.A.

"If they would have said the largest oil well at 1,087 feet, they would have been right, Ferguson's son Gary, noted dryly. Most big oil wells go much deeper, he said.

Call it Little Texas in the Appalachian foothills: Albany's spirits—and fortunes—seem to rise and fall with the price of oil.

"The economy is just absolutely horrible here and the oil gives it such a boost," said Charlene King Smith, who opened a pipe and supply company after the Ferguson well hit.

Smith vividly recalls the early 1980s oil boom. "There was so much money here it was incredible. People would drive in and ask to invest in your well. You couldn't get a hotel room. You couldn't get housing. People were renting rooms in their homes."

Those are fond memories in a county that consistently has one of the highest unemployment rates in the state. Although several clothing factories—including one of the biggest employers, Oshkosh B'Gosh—have moved to town in recent years, few other industries have expressed much interest in Albany, according to Mayor Lanny Bowlin.

"We have all the garment factories that keep the ladies who want to work employed, but we don't have much for the men. And it hurts," he said. "A lot of people would like to see more businesses, more things happening."

Residents mention the closing of a Kingsford charcoal plant as a blow to the town, although the loss was mainly symbolic. In 1988, the company employed only seven people.

For men who don't work on farms, there are few options. Many travel to other towns for work. As a result, wages are low by state standards. "Six dollars an hour here is real good money," Bowlin said.

That Clinton County is still heavily agricultural is clear to anyone driving through town on a weekday afternoon: The brisket business is done at the feed stores. Bowlin himself runs a mill that makes cattle feed. Local farmers raise beef and dairy cattle, tobacco and hogs.

Not everyone agrees with Bowlin that the town needs more businesses.

"Look at what happened to Somerset," says local historian Eva Conner. "It's a nightmare going in there. Living here is great, but if you bring all this industry and all this traffic, it becomes a less desirable place to live."

Bowlin said he ran up against opposition when he tried to bring a Wal-Mart to town during his first term about five years ago. "In 10 days, I had 1,700 signatures in favor of a Wal-Mart store." But local stores worked against it, he said. For whatever reason, Wal-Mart eventually decided to open a store about 20 miles away, in Monticello.

Bowlin said he's tried to lure factories, too, without success.

Residents cite several reasons for the lack of industrial development. Although the two-lane U.S. 127 cuts through town, Albany has been avoided or forgotten when it has come time for improvements or other road projects. Gov. Wallace Wilkinson's plan to widen and improve Highway 127 stops just north of Clinton County.

Also, residents are reluctant to sell land for development, and the Fiscal Court is loath to condemn land. Frustrated residents often mention the lingering poor reputation of the county's schools as a barrier to industrial development.

Clinton County was catapulted into the national spotlight seven years ago when the CBS program "60 Minutes" aired a report on one man's stranglehold on the local school system.

As an earlier Courier-Journal series had found, a wealthy businessman named Robert Polston had exercised tremendous power during his more than 30 years as school superintendent. With only political cronies on the school board, Polston hired unqualified administrators and liberally handed out jobs as cooks and custodians. At least six of his relatives also worked in the county's schools.

The year before the series was published, Clinton County's students ended up last out of 183 school districts on achievement tests.

Polston retired after a wave of investigations by the state, the FBI and the U.S. Department of Education. Many changes have been made since then and test scores have

improved some. In 1990, Clinton County students scored 123rd out of 177 school districts on achievement tests.

The lack of new businesses—only two national fast-food chains have outlets here, for example—gives the town a remarkably old-fashioned look.

Except for an elegant new courthouse, the town square looks as though it hasn't changed in forty years. The courthouse was completed in 1983, three years after the earlier courthouse was destroyed by fire.

It was the second time the county's courthouse burned. In 1864, Civil War guerrillas set fire to the building, but it was repaired and used until it could be rebuilt 30 years later. The area was subject to many raids from both sides during the Civil War, mainly because of its location on the Tennessee line.

One unusual feature of the new courthouse is its two identical entrances—each one facing a side road rather than any of the offices on the square. Local wags joke that this is because each business person on the square wanted the courthouse entrance to face his or her office. That presumably would have been good advertising for one of the many lawyers on the square—or, for that matter, for J.C. Guns and Knives across the street from the courthouse.

Albany police occupy a tiny storefront office just off the square, sort of like Andy Griffith's in the 1950s TV show. A large blue and white sign says, "Albany Police/Tourist Information."

Clinton County, wedged between Lake Cumberland and Dale Hollow Lake, drew nearly \$23 million in travel-related expenditures in 1990, making it third among counties in the Lake Cumberland region.

With two lakes, though, you might expect Clinton County to be No. 1. Traffic patterns may explain why it's not. Many visitors to Dale Hollow Lake come from Nashville, Tenn., and stop when they get to the southern end of the lake, which lies in Tennessee.

Visitors to Lake Cumberland come mainly from Louisville, Indiana and Ohio, stopping when they reach the northern end of that lake.

However, the quieter area between the lakes has attracted numerous retirees, who also bring dollars to Albany, Mayor Bowlin said.

Tourists like to spend time in the rolling green hills of Dale Hollow Lake State Resort Park. One of the most popular local attractions is 76 Falls.

The falls was the state's highest continuously flowing waterfall until the impoundment of Lake Cumberland. A dangerous tradition of diving from the falls—about 38 feet at normal pool—continues today.

Another source of income for local retailers is lottery tickets. Tennesseans, who lack a state lottery, flock across the border to snap them up. Albany is only five miles from the state line.

Money also flows in the other direction. Since Clinton County is dry, the nearest beer is at one of the six package stores in tiny Static, which straddles the border. (Appropriately, there is also a radio station in the town).

Perhaps Albany's greatest asset is the natural beauty of its surroundings. "I think this is the garden spot of the world," Bowlin proclaimed.

Ten-year-old Jeremiah Cummings, who spends his summers here with his aunt and uncle, put it more modestly. "It's real nice and green and doesn't have too much seedy stuff," he said, soaking up the sun outside Albany's Wishy Washy Coin Laundry.

After some thought, Jeremiah, of nearby Byrdstown, Tenn., added that one of the best things about Albany is his Aunt Bercie's apple pie.

"Ooooh," he said, "Is she a good cook!"

ALBANY

Population, 1990: Albany, 2,062; Clinton County, 9,135.

Per capita income: Clinton County, 1987: \$7,035, or \$4,962 below state average.

Media: Newspapers: Clinton County News (weekly), Radio: WANY (country); WSBI (country and adult contemporary), Cable TV offers 23 basic channels, including "superstations" in Atlanta and Chicago.

Jobs in county, 1988: Manufacturing, 871; wholesale/retail, 346; services, 279; government, 402; construction, 83.

City's big employers, July, 1991: Sutton Shirt Corp., 320 employees; Oshkosh B Gosh (clothing), 170; Ann Rassel Sportswear, 150.

Education: Clinton County Public Schools, 1,632 students, Clinton County Area Vocational School, 300 students.

Transportation: Air: Spring Creek Airport, four miles south of Albany, has one 2,400-foot runway, Nashville Metropolitan Airport, 133 miles southwest of Albany, has the closest nearest airline service, Trucking: Seven Trucking companies serve Albany.

Topography: Foothills of the Appalachian Mountains.

Famous facts and figures

Two Kentucky governors and a governor of Montana were born in Clinton County. Gov. Thomas Bramlette, a major general in the Union Army, was elected in 1863 and served one term during the tumultuous last years of the Civil War. Preston Leslie succeeded to the position in February 1871 after Gov. John Stevenson resigned. Leslie was re-elected later that year. In 1887, President Grover Cleveland appointed him territorial governor of Montana. Samuel Ford, a grandnephew of Leslie, joined him in Montana and later became a two-term governor of the state from 1940 to 1948.

Notorious Civil War guerrilla "Champ" Ferguson was born near Albany. In 1865, he was captured and tried in a military court in Nashville, Tenn., on 53 counts of murder. Ferguson responded individually to each charge, with remarks such as: "He ought to have been killed sooner," "He richly merited his fate" and "I killed John Crabtree. . . and stabbed him and did a good job when I did it. He was a murderous villain. Ferguson, one of the most feared men in the Confederacy, is portrayed by historians as an excellent fighter who was also quite fond of liquor and women.

Locals pronounce it "ALL-benny." Legend has it that after the county was formed in 1836, an election was held to determine the site of the county seat. The winner was the site of Benny Dowell's store. Supporters of Benny's place shouted "All for Benny," and later "All Benny." This may have given the city fathers the idea to name the town after Albany, N.Y. •

FIGHTING TO END THE DECLINE OF A CITY

• Mr. SIMON. Mr. President, many of my colleagues are familiar with the economic devastation that has occurred in East St. Louis, IL, over the past several decades. Between 1960 and 1990, population was cut in half. Over 50 percent of the residents of East St. Louis receive some form of government

assistance. Two years ago, because of a lack of funds, the city stopped trash collection. This is a far cry from the city that, in 1960, was given the Chamber of Commerce's "All American City Award."

Three months ago, voters elected a new mayor—Gordon Bush. Mayor Bush is a lifelong resident of East St. Louis. He is bringing hope, creativity and co-operation to residents of his hometown and the surrounding area. The Christian Science Monitor recently published an article on Mayor Bush and what his administration has been able to accomplish in a few short months. I join my colleagues in the Illinois delegation in a salute to Mayor Bush and asked the article be printed in full in the RECORD.

The article follows:

[From the Christian Science Monitor, July 25, 1991]

EAST ST. LOUIS MAYOR FIGHTS DECLINE

(By Elizabeth Levitan Spald)

Three young paperboys sit patiently outside the East St. Louis mayor's office, their legs dangling from chairs, paper sacks near their feet. They're here to give a message to Gordon Bush, the city's new mayor.

Ushered into his office, they crowd around him. "There's prostitutes standing right down there," pipes up one boy, referring to one of the city's main streets. Another boy complains the police aren't taking care of the problem. "Police officers got to do right, too," he says.

For Mayor Bush, a large man with a gentle voice and easy smile, such visits are common. In the nearly three months he's been in office, citizens young and old have called or come in to voice concerns or offer support.

That support is badly needed. As mayor of one of the poorest and most troubled cities in the United States, he has what many consider the most difficult and challenging job of any city leader in the U.S. and is seen as the last hope for reversing the city's three-decade economic decline.

"I don't envy him his task," says Thomas Fitzsimmons, executive director of the Illinois Municipal League of Cities. "I hope something can be done, because right now it's a blight."

Across the Mississippi River from the Gateway Arch and modern high rises of St. Louis, East St. Louis resembles a scarred ghost town in areas, with blocks and blocks of empty and burned-out houses. Unemployment hovers around 50 percent, the crime rate is one of the highest in the state, the city's debt is estimated at \$50 million, and it has almost no tax base.

East St. Louis hasn't always been regarded as an urban wasteland. In 1960 the US Chamber of Commerce honored it with an All-American city award. Stockyards and meat-packing plants were the main industry. Well-kept homes housed the mostly white, blue-collar workers. But after 1960 the plants began to close, some moving to the South, where labor was cheaper. Residents either migrated with them or remained here, unemployed. Between 1960 and 1990 the population plummeted from about 82,000 to a little under 41,000.

Mayor Bush, a lifelong resident of East St. Louis with a master's degree in urban planning, is seen as a considerable improvement over Carl Officer, a funeral director who ran the city for the last 12 years. Under Mr. Offi-

cer, the city, already debilitated by mainly corrupt, white-led administrations, slid into further decline. The city's population now is about 90 percent black.

With few resources, Bush has begun efforts to restore basic services other US cities take for granted. One such service is trash pickup. Several years ago, the fiscally strapped city stopped collecting trash. Unable to afford paying for private collection services, many residents either burn garbage in their yards or dump it where they can.

City, county, and state officials are finalizing an estimated year-long trash cleanup plan that Bush says will begin in the next few weeks. Part of the money to finance the several-million-dollar project will come out of a \$7 million community fund set up in January with fines from a fraudulent riverfront development project.

"Making the town clean and safe are two things we must do and are in the process of doing," Bush says. A new police chief and five new police cars the state provided for an anti-drug unit have already helped eliminate some of the crime and crack-cocaine selling on the street.

Another crisis the new mayor has temporarily resolved is irregular employee paydays. Often over the past two years, empty city coffers have meant sporadic paychecks. Bush has obtained a \$3.75 million bailout loan from the state which will help pay employees through 1992.

"That really caused a tremendous increase in the morale of employees," he says. "You can't expect a police and fire department and other municipal employees to go out and do a dynamic and inspired job when they're not getting paid."

Bush's aides have been cleaning house and sifting through the last administration's sloppy record-keeping. The mayor estimates the city will retrieve nearly \$1 million in uncollected fees from such sources as demolition of buildings, speeding tickets, and billboard advertising. Meanwhile, he is trying to attract industry to the area and says negotiations are under way with a number of businesses. He expects the city will have funds next year to start a riverboat gambling enterprise on the East St. Louis side of the river, a venture expected to generate \$3 million to \$4 million in revenue.

Plans to further develop what many consider prime land along the weed-filled riverfront include proposals for a golf course, a mall, apartments, and a hotel. But some people say it will take more than determination and good management to turn the city around.

"If you look to larger issues like how will they provide really adequate services and achieve some kind of economic development it becomes a much bigger question mark," says Charles Leven, a professor of economics at Washington University in St. Louis. "I can see real improvements going on through Gordon Bush in the sense that an impoverished population is probably going to be somewhat more comfortable than before. [But] it's not realistic to expect them to do very much without massive amounts of assistance from the outside."

Unlike Mayor Officer, who often shunned outside help, Bush is actively seeking it from county, state, and federal sources. So far, this is paying off. Housing and Urban Development funds which were taken away from the city under Officer because of poor management will be reinstated. Companies from around the area have offered trucks to help pick up trash. The United Way donated \$20,000 to help reopen the city's swimming

pools, and people in towns across the river sent checks.

U.S. Rep. Jerry Costello (D) of Illinois says Bush's willingness to cooperate with all levels of government is key to the city's success.

"I think Mayor Bush is off to an excellent start. There are major differences between the previous administration and every indication as to how he will conduct his administration," he says.

Bush says turning the city around will ultimately depend on the people. But he remains optimistic and determined: "I know how the city used to be, and I believe within my heart it can be equal to what it used to be and even greater. If I did not feel within myself that it were possible I wouldn't be here."*

SALUTE TO DADE COUNTY DEPARTMENT OF HUMAN RESOURCES EMPLOYEES

• Mr. GRAHAM. I rise, Mr. President, to commend the employees of Metropolitan Dade County Department of Human Resources for their commitment and progress to being the cornerstones of effective human services.

The Department of Human Resources is a vital part of Dade County's health and human services delivery system with programs relating to the community, health care, social services, and substance abuse/mental health care. It reaches out to those in greatest need with a continuum of care. Services range from prevention to treatment to rehabilitation, relieving suffering and assisting our residents in becoming more self-reliant, productive, and independent. Over a quarter of a million residents from the Broward County line to Homestead receive these critical services annually.

Mr. President, the Metropolitan Dade County Department of Human Services has been the recipient of over 117 National Association of Counties awards for its innovative and high standard programs.

These special individuals will be honored at the Employees Recognition Banquet during the Ninth Annual Department of Human Resources Week in Miami.

Mr. President, I along with the people of Dade County commend the employees of the Dade County Department Human Resources for a job well done.*

DISTRUSTING GOVERNMENT

• Mr. SIMON. Mr. President, during the August recess, I wrote two newspaper columns that I think might be of interest to our colleagues, one about our Nation's transportation policy and the other about the American public's growing cynicism about Congress and government in general. I ask that they be printed in the RECORD.

The articles follow:

SOUND TRANSPORTATION MEANS LIFEBLOOD TO NATION

Back in 1966, Senator Claiborne Pell of Rhode Island wrote a book with the awkward title, *Megalopolis Unbound*.

It did not become a best seller, but its basic message is as timely today as then—that the United States needs a more balanced transportation policy.

We assume that if we simply let the free market system operate, with certain minimum constraints, the net result will be good for the traveling public.

To a great degree that is true.

But we have also learned that we went too far in airline deregulation. We should not go back as far as we were before deregulation, but we should not continue to let the fate of airline service for a community be at the whim of some financial baron or dictated by monopoly control of air hubs. We should not let the economics of an airline deteriorate to the point that corners are cut on safety.

Another example: There is some talk and research on electric automobiles, but progress is slow. It is not a high priority. I've introduced legislation to permit anyone who buys an electric car after January 1, 1994, to be able to deduct on his or her income taxes one-fourth of the cost of the purchase. Electric cars would not only improve air quality; they would conserve energy too. If only 1 percent of the cars sold were electric cars, it would save 60,000 barrels of imported oil a day. If my bill should pass, consumer interest in electric cars will grow, and car manufacturers will increase research dramatically.

Part of the imbalance of transportation policy is that we do far too little to encourage mass transit in metropolitan areas and too little to encourage passenger train service between cities.

Of the 11.5 cents of federal gasoline tax that goes to transportation, only 1.5 cents goes to address transit needs, the remainder for highways. No assured source of funding yet exists to address the nation's passenger railroad needs.

Japan has had high-speed rail service since 1964—twenty-seven years ago! In a few years, the United States will have it in the Dallas-Fort Worth area, but we should be planning for Chicago to St. Louis, New York to Washington, Los Angeles to San Francisco, and many other regions.

Even the present method of rail passenger service came close to disappearing, and might have, if not for vigilant railroad passenger advocates who lobbied Congress hard to preserve Amtrak. And now Amtrak not only survives, it is growing healthier, and more and more Americans are learning the pleasures and the efficiency of railroad travel.

But why should someone in a rural area, far from any railroad service and far from big city mass transit, support these?

First, because we are an interdependent society. Just as city people should support farm programs, rural people should support urban programs. Eventually the improved status of either helps the other.

Second, if people in metropolitan areas do not have the good mass transit systems they need to go to work, they take their cars, and more cars, and more cars. More highways will have to be built, taking money that might otherwise be used for rural roads and bridges.

Third, the more we use mass transit and railroads, the less air pollution our nation and our planet will have. That helps all of us.

The nation cannot drift into a healthy, balanced transportation policy any more than we can drift into a healthy, balanced education policy.

Aimless drifting will satisfy our current appetites, but it will not satisfy our long-range needs.

STYMIED LEADERSHIP AND A CYNICAL PUBLIC

Two recent books and innumerable commentaries suggest that the American public is getting more cynical about our government and both political parties.

You don't need to read books or newspaper columns to know that. You can feel it as you walk the streets of Illinois or any other state.

I believe it is caused in large measure by three things: First, the public knows that the President and Congress are not facing many of our basic problems, such as the deficit. They are right.

Second, the public has a deep suspicion that those who make the decisions in government are not making them for the benefit of the average citizen, but for the wealthy and powerful. They may not know the statistics about the income gap between rich and poor widening in the 1980s. (Average incomes in today's dollars rose 122 percent after taxes for the top 1 percent of households but fell 10 percent for the bottom fifth.) But without knowing the figures, they sense the reality and they properly blame government policy, and they scatter the blame widely on both political parties.

Third, the public sees government as less and less responsive to their personal concerns. Mayor David Pierce of Aurora, Illinois, put it to me from the government official's perspective: "Leading in government is less enjoyable than it used to be. We used to be able to do more to help people with their problems." The reality is that much of the federal money that formerly went to help people with their immediate needs now goes into elaborate, expensive weapons systems, and even more, to pay interest on the huge and growing federal debt.

In inflation-adjusted percentages, during the last 10 years, federal government spending for discretionary non-defense matters, such as health care and education, has dropped 11 percent, defense spending has grown 30 percent, and the gross interest expenditure has increased 105 percent.

All these problems are related, of course.

One reason is that we elect too many officials who simply follow the public opinion polls rather than provide real leadership.

A second reason is our system of financing political campaigns, that makes government respond too much to the big contributors.

A third, and less visible reason, is that we have taken away political muscle from the congressional leaders.

I read the stories about congressional leaders not leading, and there is validity to the criticism. What the stories do not say is that the congressional leadership has been substantially weakened in the last three decades.

I recall visiting with a thoughtful former Republican member of the House, Charles Whalen of Ohio, who said, "I voted for every reform that came along. And individually I can defend each of my votes. But the net effect of all these reforms is a weaker legislative body."

He is correct.

At one time, a recorded vote could not take place in the Senate, for all practical purposes, without the approval of the majority or minority leader. Now any senator can

demand a roll call. At one point, the two Senate leaders decided on what committees members served. Now we have almost half the Senate involved in the decision-making, diminishing the muscle of leadership.

I can defend each of those changes—and many more—but they also weaken leadership. We cannot both complain about weak leadership and maintain the causes of weak leadership.

One senator can completely tie up the entire body with parliamentary maneuvers. Occasionally, that is good, but if a leader has to constantly worry about pampering every senator, it becomes difficult to provide effective leadership.

I do not want to return to the days when a Lyndon Johnson had a huge amount of power in his hands.

But if we are to respond to the public clamor for tackling the nation's difficult problems, we must permit congressional leaders to force us to make difficult, unpopular choices.

Giving congressional leaders more authority is not going to significantly reduce public cynicism. But it is one piece of the puzzle. The President generally has the courage to lead on the domestic agenda is his decision. But for those who head Congress, we have taken away some of the tools of leadership. If we deprive them of the means to be stronger leaders, we cannot complain when they do not lead with strength.■

TRIBUTE TO CARLOS ARBOLEYA

● Mr. GRAHAM. Mr. President, I rise today in tribute to an outstanding humanitarian and civic activist, Carlos Arboleya.

This gentleman's good deeds, community contributions, and special awards for his accomplishments are numerous. This Cuban-American has truly given generously of himself to his chosen country.

Mr. Arboleya came to Miami from Cuba in 1960 with his wife, son, and \$40 in his pocket. He left a comfortable life in Cuba for freedom in America.

In his chosen home he began working in a shoe factory, forsaking 16 previous years of banking experience. He quickly rose through the ranks of the company until he returned to the banking profession. His ascent in the banking field was quick and noteworthy, with success following him every step of the way.

In addition to a wide range of professional and community activities, Mr. Arboleya has maintained interests with youth, scouting, the arts, regional schools of higher education, religious and charitable organizations. The depth and diversity of his endeavors truly represents a person who has committed his work to his community.

In acknowledgment of his efforts, Southeast 8th Street and Brickell Avenue will be dedicated to Carlos Arboleya.

Mr. President, I, along with the people of Miami, applaud Carlos for his efforts. May his shining examples of service and dedication continue to be an inspiration to all immigrants who strive to fulfill the American dream.■

TRIBUTE TO DAVE WINFIELD

Mr. DURENBERGER. Mr. President, today I rise to commend St. Paul native and University of Minnesota alumni Dave Winfield. While he plays baseball for the California Angels, he exhibits an outlook on life to which all Americans can adhere.

Wednesday, August 14, 1991, Dave hit his 400th career homerun while playing in Minneapolis. Ironically, this milestone was reached against the Minnesota Twins as he became only the 23d player in major league history to accomplish such a feat. Although his deeds on the playing field have often resulted in rave reviews, it is what Dave Winfield does off the diamond which deserves a closer look.

In the May-June 1991 issue of Minnesota: The Magazine of the University of Minnesota Alumni Association, Dave gives us a good example of how to approach and enjoy life when he states, "I like to be positive, upbeat. From nurturing young people to reinforcing older people, that's the way I would operate. And if you can't operate under those circumstances, then you're gone; you're history. But you don't threaten people to succeed." He continued, "If you make yourself better every day and improve yourself and your knowledge, it's exciting. Every day is exciting. You get up and there's something to do. The way I look at it is not how can I waste time, but how can I take advantage of it? How can I get everything into a day? It's a fast, ever-changing world, so I just try to stay up on it." As Dave said during his interview, "Discipline and hard work will get you what you want, where you want to be. If you're challenging yourself, it hurts. But overcoming that hurt just makes you better."

Behind this philosophy lies a caring and generous individual. Dave's charitable work and volunteer spirit was best exemplified in his recent trip to the Twin Cities. Prior to the game in which he hit his 400th homerun, Dave shared his know-how with area youth during a hitting clinic at the Inside Sports training center in St. Paul. This is but one way he has continued to maintain ties with his native Minnesota.

The work which Dave Winfield is proudest of concerns the Winfield Foundation, established in 1973 shortly after signing with the San Diego Padres. Minnesota magazine says the Foundation was originally established to provide scholarships for minority student athletes. He also sponsored after-game lunches, and medical clinics for children who did not get regular physical exams.

Since its inception, the Winfield Foundation's focus has shifted toward the Nation's growing substance-abuse problem. Included in this focus is a program called "Turn It Around," which allows the Foundation to work with ex-

isting drug-prevention programs at the elementary-school level. Dave feels that organizations such as his must work with the community in order to curb substance abuse. "Individuals and individual groups can't do it. Whole cross-sections of communities, everybody working together, same cause, same wavelength, can make progress, can grab it and turn it around," he said. The positive influence of the Winfield Foundation is a reflection of Dave Winfield's spirit. "My career has been important," he said. "But my life has been important, and that's what it's all about."

This philosophy and uplifting outlook on life makes Winfield a successful individual and team player. As we take up our work, Dave Winfield reminds us of how to successfully approach the challenges that America faces. Dave is a man of charity and his approach to life is contagious. I am proud of the work he has accomplished in my home State of Minnesota as well as for the citizens of this Nation. Dave Winfield is a true champion.

ORDERS FOR TOMORROW

Mr. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in recess until 9:15 a.m. Friday, September 13; that following the prayer, the Journal of the proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; that there then be a period for morning business not to extend beyond 9:30 a.m. with Senators permitted to speak therein for up to 5 minutes each; and that upon the conclusion of morning business, the Senate resume consideration of the Interior appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, does my colleague wish to say anything further?

Mr. NICKLES. No. Mr. President, I look forward to taking up the Interior bill, and look forward to its progress.

Mr. BYRD. I thank the Senator for his cooperation today, and I thank the other Senators for the cooperation in developing the en bloc amendments.

RECESS UNTIL TOMORROW AT 9:15 A.M.

Mr. BYRD. If there be no further business to come before the Senate, in accordance with the order previously entered, I ask that the Senate stand in recess until the hour of 9:15 a.m.

There being no objection, the Senate recessed at 9:03 p.m. until Friday, September 13, 1991, at 9:15 a.m.

NOMINATIONS

Executive nominations received by the Senate September 12, 1991:

THE JUDICIARY

FREDERICK J. SCULLIN, JR., OF NEW YORK, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK, VICE A NEW POSITION CREATED BY PUBLIC LAW 101-650, APPROVED DECEMBER 1, 1990.

DEPARTMENT OF STATE

A. PETER BURLEIGH, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS COORDINATOR FOR COUNTERTERRORISM.

ROBERT STEPHEN PASTORINO, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DOMINICAN REPUBLIC. THE FOLLOWING-NAMED PERSONS TO BE THE REPRESENTATIVE AND ALTERNATE REPRESENTATIVES OF THE UNITED STATES OF AMERICA TO THE 35TH SESSION OF THE GENERAL CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY:

REPRESENTATIVE:
JAMES D. WATKINS, OF CALIFORNIA.
ALTERNATE REPRESENTATIVES:
RICHARD T. KENNEDY, OF THE DISTRICT OF COLUMBIA.
JANE E. BECKER, OF THE DISTRICT OF COLUMBIA.
IVAN SELIN, OF THE DISTRICT OF COLUMBIA.

U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

REGINALD J. BROWN, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT. (REAPPOINTMENT)

DEPARTMENT OF VETERANS AFFAIRS

JAMES ASHLEY ENDICOTT, JR., OF TEXAS, TO BE GENERAL COUNSEL, DEPARTMENT OF VETERANS AFFAIRS, VICE RAOUL LORD CARROLL, RESIGNED.

DEPARTMENT OF COMMERCE

JOHN A. SHAW, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE QUINCY MELLON KROSBY.

U.S. INSTITUTE OF PEACE

THE FOLLOWING NAMED PERSONS TO BE MEMBERS OF THE BOARD OF DIRECTORS OF THE U.S. INSTITUTE OF PEACE FOR TERMS EXPIRING JANUARY 15, 1995:
THEODORE M. HESBURGH, OF INDIANA, VICE RICHARD JOHN NEUHAUS, TERM EXPIRED.
ELSPETH DAVIES ROSTOW, OF TEXAS. (REAPPOINTMENT)

CONFIRMATIONS

Executive nominations confirmed by the Senate September 12, 1991:

THE JUDICIARY

ANDREW J. KLEINFELD, OF ALASKA, TO BE U.S. CIRCUIT JUDGE FOR THE NINTH CIRCUIT.
EUGENE E. SILER, JR., OF KENTUCKY, TO BE U.S. CIRCUIT JUDGE FOR THE SIXTH CIRCUIT.

BENSON EVERETT LEGG, OF MARYLAND, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND.
HARVEY BARTLE III, OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

DEE V. BENSON, OF UTAH, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF UTAH.

WILLIAM G. BASSLER, OF NEW JERSEY, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

WILLIAM H. YOHN, JR., OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

DONALD L. GRAHAM, OF FLORIDA, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA.

JORGE A. SOLIS, OF TEXAS, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS.

MICHAEL R. HOGAN, OF OREGON, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF OREGON.

JAMES T. TRIMBLE, JR., OF LOUISIANA, TO BE U.S. DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA.

SHELBY HIGHSMITH, OF FLORIDA, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA.

STEWART R. DALZELL, OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

DEPARTMENT OF JUSTICE

J. WILLIAM ROBERTS, OF ILLINOIS, TO BE U.S. ATTORNEY FOR THE CENTRAL DISTRICT OF ILLINOIS FOR THE TERM OF 4 YEARS.

KAREN K. CALDWELL, OF KENTUCKY, TO BE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF KENTUCKY FOR THE TERM OF 4 YEARS.

JOHN F. HOEHNER, OF INDIANA, TO BE U.S. ATTORNEY FOR THE NORTHERN DISTRICT OF INDIANA FOR THE TERM OF 4 YEARS.

THOMAS B. HEFFELFINGER, OF MINNESOTA, TO BE U.S. ATTORNEY FOR THE DISTRICT OF MINNESOTA FOR THE TERM OF 4 YEARS.

EXTENSIONS OF REMARKS

THE 25TH ANNIVERSARY OF THE
UNIVERSITY OF MARYLAND BAL-
TIMORE COUNTY

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. CARDIN. Mr. Speaker, today I rise to pay tribute to the University of Maryland Baltimore County [UMBC] as it celebrates its 25th anniversary.

Founded in the 1960's with a new, talented, and young faculty hand-picked from the Nation's leading research universities, UMBC together with its students have over the last 25 years built a doctoral degree granting research university recognized for its leadership in many areas. It has become foremost in life sciences, languages, history, performing arts, and for its emerging contributions to engineering and computer science. Every year over one-third of its undergraduates go on to complete advanced degrees at America's great universities. UMBC's debate teams, choirs, and thespians have won national and international prizes. Its students and faculty have won Woodrow Wilson and NSF Young Investigator fellowships and Fulbright, Truman, and Mellon scholarships.

Not only is the university known for its academic prowess, but it contributes to the communities it serves through students who volunteer for school and social service projects; through its large cooperative education programs in business and industry; through its continuing education programs; and through its faculty, who consult on the regional, national, and international scene.

I congratulate UMBC and its students on its silver anniversary. It has lived up to Gov. J. Millard Tawes' statement that the founding of the school was a "momentous event in the history of education in Maryland." The people of Maryland are proud of all that UMBC has accomplished, and we all look forward to what will certainly be continued years of academic excellence and outstanding contributions to the greater Baltimore community and to the Nation.

A TRIBUTE TO CENTRO CAPESSINO

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I am delighted to pay tribute to the Centro Campesino, a nonprofit community development corporation providing affordable housing to low-income families in south Florida. Centro Villas, their 71-unit development, as a self-help housing project which provides home-

ownership opportunities to families earning as little as \$10,000 per year.

On August 17, 1991, Centro Campesino hosted its "Elected Officials Day," where public representatives had the opportunity to help farmworker families build their own homes.

I am pleased to submit the following article entitled, "Volunteer-Friendly Design is Necessary * * * Keeps folks from slipping off roof," written by Mr. Don Finefrock in the June 16 edition of the Miami Herald.

Designing a home so it can be built with volunteer labor presents some interesting challenges for architects.

Consider the roof.

Make the pitch too steep and volunteers are apt to fall off, said Ryce Stone Stallings, an architect at Wallace Roberts & Todd in Coral Gables.

The homes to be built this week in Liberty City by the Greater Miami Chapter of Habitat for Humanity reflect the concern, he said.

"The roof slopes were kept low, so that volunteers won't fall," said Stallings, whose firm helped design the project.

The use of volunteer labor also can influence the choice of building materials, the shape of the home and its dimensions.

"That's one of the reasons they [Habitat] don't build concrete block houses," Stallings said. "They're concerned about volunteers lifting concrete blocks and dropping them on each other."

The walls of the homes will be formed instead with light-weight panels made of rigid foam and welded wire.

"Obviously, when you design, you design for simplicity," said Robert Chisholm, an architect who works with Centro Campesino in Florida City.

KEEPING COST IN MIND

Centro Campesino has built 45 low-cost homes in south Dade County with the help of farm worker families and student volunteers.

"You don't get into strange angles, you don't get into strange geometry," Chisholm said. "Everything is to the standard of the industry."

A simple design also helps to reduce costs—a major consideration for groups such as Habitat for Humanity and Centro Campesino. Both organizations build houses for low-income families.

Habitat for Humanity, a nonprofit Christian organization that counts former President Jimmy Carter among its backers, plans to build 14 homes and a child-care center this week at Northwest 62nd Street and 20th Avenue.

Carter and a small army of other volunteers—skilled and unskilled—are scheduled to begin work Monday. The three- and four-bedroom homes should be complete by week's end.

"It is not an award-winning design, it is not a fancy design. It is just a basic house" said Allyn Pruett, the WRT architect who designed the child-care center. "What is special is it's all done with volunteer labor. To get all of these people to produce a product is a real accomplishment."

EASY TO HANDLE

Architect John Fernsler, a senior associate at WRT and vice chairman of Habitat for Hu-

manity of Greater Miami, plans to work as one of those volunteers. "How you build it is always a factor. It is not an easy job for people like me," Fernsler said.

"One of the key systems is the roof," Pruett said. The roofs of the Habitat homes will be built with wood trusses.

"The key is to keep those trusses to a manageable size, so people can actually pick them up and put them on the walls," Pruett said.

"Thirty feet is about as much as you can handle by hand," Fernsler said. Trusses for the Habitat homes will be about 25 feet long, he said.

The preformed panels that will be used to form the walls also are easy to handle.

"It is very volunteer-friendly, which is one of the reasons we are using it," said Dirk Holkeboer, executive director of the local Habitat chapter.

NEW METHOD

The four-foot by eight-foot panels represent a relatively new building technique for Habitat, which has built seven other homes in Dade County, all but one of which were wood-frame.

Tom Phillips, Habitat's project manager and staff architect, said the group sought and won permission to use the panels from county building officials.

"The main advantage over wood is [the panel method] is just faster to erect," Stallings said. "It just goes up in four-by-eight sheets."

"There is very little nailing," Pruett said. Interior walls of the Habitat homes will be wood frame.

"That was a way to get more volunteers involved in the project," Stallings said. "Everybody can swing a hammer," Pruett said. Unlike Habitat, Centro Campesino builds its homes from concrete block.

But the group hires professionals to lay the block, said Steve Mainster, the group's executive director. Professionals also apply the stucco and install the home's plumbing and electrical systems.

EVERYBODY PITCHES IN

Centro Campesino has seven homes under construction, and plans to start work on another seven shortly.

The families who will buy those homes are required to put in at least 350 hours of labor. Habitat families must contribute 400 hours, Fernsler said.

On a recent Saturday, the Centro Campesino families helped prepare the new home sites so that the slabs could be poured. "Whatever is happening that week, they do," Mainster said.

The homes built by Centro Campesino cost \$53,000 to \$58,000. Habitat's homes cost \$35,000 to \$37,000. In both cases, the groups help their families obtain low-interest or no-interest loans, so mortgage payments are kept at a minimum.

"The nuts and bolts of something like Centro and Habitat are different, [but] the philosophy I think is exactly the same," Mainster said. "By involving the families we save money."

I wish to thank Mr. Steven Mainster and all the volunteers at Centro Campesino for their

* This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

tremendous work in giving the opportunity for many families to live in homes of their own. Their work and achievements are admired and appreciated by many.

HIV DILEMMA IN HEALTH CARE WORKPLACE

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. FOGLIETTA. Mr. Speaker, I would like to insert in today's CONGRESSIONAL RECORD an article written by my niece Thea Foglietta Silverstein which recently appeared in the Arizona Business Gazette. In her article, she thoughtfully explores the issues of AIDS and HIV in the health care community.

HIV DILEMMA IN HEALTH CARE WORKPLACE (By Thea Foglietta Silverstein)

Recent media attention generated by reports of a Florida dentist with AIDS (acquired immune deficiency syndrome), who apparently infected some of his patients, has led to a call for the mandatory testing of health care workers. Similarly, some in the health care industry advocate routine HIV tests of patients to protect health care workers from contracting AIDS in the workplace.

Employers should recognize that AIDS is generally considered a covered handicap under federal and most state handicap laws. The Federal Rehabilitation Act of 1973, which prohibits employment discrimination against otherwise qualified persons on the basis of handicap, is applicable to all recipients of federal funds, including health care providers who receive Medicare and Medicaid funds. Under this act, employers are required to make "reasonable accommodations" to "otherwise qualified" handicapped employees or job applicants, unless the employer can show that the accommodation would impose "undue hardship" on the employer. Reasonable accommodation of an employee with AIDS may include a change in job duties, work schedules or department assignment. With respect to both physicians and health care employees, the ability of the health care facility to act on test results is limited.

A person who tests positive for AIDS probably cannot be terminated for that reason, without bringing into play federal and/or state handicap discrimination laws. In addition, the release of information, suggesting that the person is perceived as being at risk for AIDS, may trigger publicity and generate litigation.

Often, a health care facility will be unaware that a physician has AIDS or has been infected with the HIV virus. Physicians who are aware of their HIV infection have a strong disincentive to disclose that to the hospital or health care facility because of the possibility of adverse action against the physician and because of the potentially devastating impact on the physician's practice once the condition is disclosed.

The American Medical Association issued a statement in January in which it recommended that HIV-infected physicians should either abstain from performing invasive procedures which pose identifiable risks of transmission or disclose their HIV-positive status prior to performing a procedure, and proceed only if there is informed consent by the patient.

Last month the AMA rejected a resolution proposing mandatory testing of doctors but endorsed voluntary testing of doctors at high risk. It also passed a resolution supporting HIV testing of physicians and other health care workers "in appropriate situations." The AMA resolved to study specific issues related to such testing.

In keeping with the AMA's January recommendations, health care facilities or medical staffs may choose to adopt a policy under which physicians are responsible to disclose to their patients any physical impairment, including HIV infection, that may adversely affect patient care. The facility or its medical staff also may consider the policy of requiring disclosure by physicians of HIV or AIDS infection to the facility or staff itself.

Once a health care facility discovers that a physician has AIDS or is HIV positive, the facility must decide on a course of action. Discrimination against the physician could trigger claims under the Rehabilitation Act of 1973 and may threaten a facility's tax exempt status. Policies for dealing with HIV-infected physicians should be implemented only after consultation with legal counsel and input from the medical staff. Once implemented, physicians should be made aware of the policies and should be provided copies.

Before taking any action concerning a physician with AIDS or HIV infection, the health care facility should be certain of the physician's AIDS diagnosis or sero-positive status. All information should be kept strictly confidential. While failure to disclose the condition to patients may be a source of potential liability exposure if a patient becomes infected by the doctor, disclosure may be prohibited by state or federal law, and subject the facility to a claim by the physician.

Moreover, rather than revoking a physician's privileges because he or she has become infected with the AIDS virus, which could lead to a handicap discrimination suit, the facility should attempt to work out an accommodation with the physician to redefine the physician's scope of practice, or perhaps require the physician to comply with specific safety precautions.

Each case must be evaluated individually, based, among other things, on the individual physician's condition and type of practice. The facility also should consult with its legal counsel as well as the medical staff, before attempting to impose requirements of restrictions on a physician who is infected with the AIDS virus.

By its recently adopted resolution, the AMA supports HIV testing of physicians, other health care workers and patients, consistent with testing for other infectious and communicable diseases. Neither the Centers for Disease Control nor the American Hospital Association recommends routine screening of health care employees or patients. Both recommend obtaining consent for testing. In addition to consent, the CDC recommends that knowledge of test results be limited to those directly involved in care of infected patients or as required by law. The American Nurses Association also rejects compulsory testing of nurses and patients but supports voluntary testing and disclosure by infected nurses. There is also a question of whether HIV testing may create a false sense of security, and may in fact increase the potential for transmission of communicable diseases, including HIV transmission, from unidentified patients.

It appears that the current weight of authority does not support mandatory testing.

Rather, the implementation and strict compliance with Occupational Safety and Health Administration and CDC standards and guidelines for workplace safeguards against transmission of blood-borne diseases, coupled with continuing education of health care workers on the issue of HIV transmission, may be the most effective way to combat the risk of transmission of AIDS between patients and health care providers.

HONORING GRADUATES OF SUBSTANCE ABUSE TREATMENT PROGRAM

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. ACKERMAN. Mr. Speaker, I rise to call the attention of the House of Representatives to the accomplishments of 133 heros.

These are not men and women who are returning to their lives after winning a battle on foreign soil to protect our liberty, these are people who are first finding their lives, after facing possibly an even greater enemy and certainly as dangerous a threat to our society.

I am talking about the men and women of Samaritan Village, a substance-abuse treatment program headquartered in my district.

On August 29, a group of these brave fighters graduated from treatment and returned proudly back to society. They have left Samaritan Village after months, and in some cases, years, of counseling, intense vocational training and extensive restructuring of their values and aspirations.

They leave, not dependent and lost, but independent, self-confident, and on the road to fulfillment and happiness. Through their hard work and intense desire no only to change the course of their lives, but also to influence others to avoid the same pitfalls, they have enriched their lives and changed the course of their neighbors' lives as well.

I have been privileged to watch a neighborhood counseling center grow to be the third largest residential therapeutic community in the Nation. Under the dynamic leadership of Richard Pruss, the president of Samaritan Village, along with Elizabeth Barton, the executive vice president, Tino Hernandez, the vice president for clinical services, Dr. Peter Pinto, and the other clinical and support staff, the residents of Samaritan Village receive treatment for their addiction not based on their ability to pay, but based on their desire to heal themselves.

Mr. Speaker, I ask that all of my colleagues in the House join me in congratulating the graduates of Samaritan Village, especially as we celebrate "Treatment Works" month this September. Congratulations and keep up the good work!

THE PERKINS LOAN
IMPROVEMENT ACT OF 1991

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. WEISS. Mr. Speaker, today, teachers in 18 States, plus the District of Columbia, are at a disadvantage compared with their peers in the rest of the country.

The teachers in those States are distinctly disadvantaged if they took out a Perkins loan to fund their college education.

Under the Perkins Loan Program, authorized by the Higher Education Act, teachers can have their loans forgiven for teaching in a public or nonprofit private school where 30 percent or more of the students come from low-income households. Those schools must also receive chapter 1 assistance.

However, the Higher Education Act also mandates that not more than 50 percent of the schools within any State may be designated as institutions in which teaching service qualifies borrowers to cancel their Perkins loans.

Currently, 18 States plus the District of Columbia have more than 50 percent of its schools as qualifying institutions under the Perkins Loan Forgiveness Program. I have included a list of the States affected by this cap. They are as follows: Alabama, Alaska, Arizona, Arkansas, California, Colorado, District of Columbia, Florida, Georgia, Maryland, Michigan, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. Thus, a teacher could be teaching at a potentially qualifying school, but would not be eligible for loan forgiveness because of the cap.

This situation is wholly unfair to the teachers in those schools. Many teachers have taken out Perkins loans with the expectation of loan forgiveness, only to discover the school they work in is not on the Department of Education's list of schools qualifying for forgiveness because of the 50-percent cap.

The current policy also has the unintended effect of hurting the neediest students in the neediest States by not fully encouraging teachers to work with those students in those parts of the country. And to be sure, loan forgiveness is an incentive to work in those areas.

I have introduced Perkins Loan Improvement Act of 1991 to correct this disparity. The bill would simply remove the 50-percent limitation. The policy goal of the Perkins Loan Forgiveness Program should be to encourage teachers to work in schools that serve low-income populations, especially given the fact that recent projections show a teacher shortage of nearly 1 million by the year 2000.

The current law falls short of that objective and I hope that this bill can be included as a provision in the upcoming reauthorization of the Higher Education Act. I welcome any support my colleagues can provide in correcting this anomaly in the law.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

EXTENSIONS OF REMARKS

SECTION 1. SHORT TITLE.

This Act may be cited as the "Perkins Loan Improvement Act of 1991".

SEC. 2. FINDINGS.

The Congress finds that it is necessary to enact improvements in the Perkins Loan program—

(1) to alleviate projected shortages of teachers by the year 2000, especially in schools that serve low-income areas;

(2) to encourage teachers to work in schools serving low-income students by forgiving the teacher's Perkins loans for teacher service at all non-profit private and public institutions that receive Chapter One assistance and have more than 30 percent of the student enrollment coming from low-income families as defined in 111(c) of the Elementary and Secondary Education Act of 1965;

(3) to increase the participation of the schools serving low-income areas in the Perkins Loan Forgiveness program by removing the 50 percent limitation on the number of schools that may be currently designated in any state as an institution where teacher service qualifies for loan forgiveness;

(4) Eighteen states and the District of Columbia have more than fifty percent of the schools whereby teacher service could qualify for Perkins Loan forgiveness.

SEC. 3. ELIMINATION OF THE FIFTY PERCENT LIMITATION.

That section 465(a)(2) of the Higher Education Act of 1965 be amended by striking in subsection (A) the following "and each determination shall not be made with respect to more than 50 percent of the total number of schools in the State receiving assistance under such chapter 1."

AN EXAMPLE OF COOPERATION
BETWEEN ELECTED OFFICIALS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. FRANK of Massachusetts. Mr. Speaker, too often people read about feuding between and among officials at various levels of government. I believe it is a mistake for local, State, and Federal officials to be quick to accuse each other of causing problems. In my experience, when citizens read of State, local, and Federal officials hurling accusations at each other they are inclined to believe all of the above.

Because these disagreements make news, it is important to bring forward the more common example which is one of cooperation between and among elected officials at various levels. Recently, my Massachusetts colleagues and I worked with other Members to persuade the Internal Revenue Service to drop a proposal which would have had a devastatingly negative effect on cities and towns in many parts of this country. Misinterpreting congressional intent with regard to pensions, the IRS was about to wreak financial havoc on hard-pressed municipalities.

Because of the combined efforts of many of us in Congress, the IRS dropped this effort and the municipalities were saved an extraordinarily unnecessary expense.

During the recess I received a letter from the town administrator of the town of Natick, Frederick C. Conley, who was acting on behalf

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of the board of selectmen of Natick in thanking all of us in the Massachusetts congressional delegation for the work we did in this regard.

To carry out the request of the selectmen that I pass along their commendations to my colleagues, and to give an example of the way in which government is supposed to work, I ask that Mr. Conley's letter be printed here. Mr. Conley and the selectmen also deserve credit for this result because of the useful information they provided to me in our efforts on their behalf.

NATICK, MA, AUGUST 20, 1991.

Congressman BARNEY FRANK,
Longworth Bldg., Washington, DC.

DEAR CONGRESSMAN FRANK: At their meeting on August 12, 1991, the Board of Selectmen voted to commend you and, through you, to commend and thank the entire Massachusetts Congressional delegation for the outstanding work in preventing the dramatic changes in social security regulations as applied to the Commonwealth and its political subdivisions.

If the proposed rules had gone into effect, it would have cost the Town of Natick \$2.2 million annually. Obviously in the present fiscal climate these regulations would have resulted in fiscal disaster for the Commonwealth and for all of its cities and towns.

We again thank you for your outstanding work in our behalf.

Sincerely,

FREDERICK C. CONLEY,
Town Administrator.

A FAREWELL TO LEW ROTH

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. GALLEGLY. Mr. Speaker, it is with sadness that I rise today to pay final respects to a longtime leader of my hometown of Simi Valley, CA. Lew Roth, who passed away last week at the age of 58, devoted more than two decades to making Simi Valley a better place, and he will be missed.

Lew was a leader in the effort to incorporate our city, but he will be best remembered for his tireless efforts on behalf of education. As a school board member for 22 years, he helped guide the Simi Valley Unified School District from a relatively small system to one of the largest in California. During his tenure in office, his influence was felt statewide as well. Among his many accomplishments was the passage of legislation for academic programs for gifted student.

Even after he left the board, he retained his interest in his schools and channeled his energies into establishing the fledgling Simi Valley Education Foundation, a nonprofit organization devoted to raising funds for school programs.

Lew was also a great family man, and was devoted to his wife of 34 years, Rollie, and his three grown children.

Mr. Speaker, I ask my colleagues to join me in offering condolences to Rollie, Meriam, Paul, and Barry, and in honoring a man who truly gave much to his community.

**CONGRESSMAN KILDEE SALUTES
FLINT HISPANIC AWARDS CEREMONY**

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. KILDEE. Mr. Speaker, it is with great pride that I rise today to pay tribute to the Hispanic awards ceremony that will be held on Saturday, September 14, 1991, at the General Motors Institute in my hometown of Flint, MI.

As part of the National Hispanic Heritage Month, the third annual awards ceremony kicks off a month-long celebration of Hispanic culture, ideas, and achievement in Genesee County. Continuing the tradition of the past 3 years, the Hispanic community of Genesee County will once again honor those individuals who have selflessly committed themselves to making Flint and Genesee County a better place in which to live.

This year's awards will recognize those outstanding individuals whose contributions have been a positive shaping force for our community. The Pedro Mata, Jr., Leadership Award will be presented to Paul Vasquez, while the "Tano" Resendez Service Award will go to Celestina Reyes. In addition, the Joe Benevise Education Award will be given to Aurora Elicerio, and the Hispanic Veteran of the Year Award will be presented to Ernesto Perez. Finally, the Labor Award will be given to Ben Cortez, and the three recipients of the Youth/Student Awards will be Staci Gatica, Andrea Lyn Cantu, and David Reyes Richmond.

It is such a pleasure to know that the recipients of these awards have continued the outstanding tradition of community service set forth by the individuals after whom the awards were originally named.

Mr. Speaker, it is with great pride that I rise today and ask my colleagues in the House of Representatives to commend the Hispanic community of Flint for their outstanding community service, and I congratulate them for their tremendous accomplishments.

**HENRY STEPHEN PETERS—A
PROFILE IN COURAGE**

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, it is with great pleasure that I pay tribute to one of my constituents, Mr. Henry Stephen Peters, a very courageous citizen. Mr. Peters was recently recognized by President Bush for his efforts to fight crime and personally apprehend criminals. He received a certificate of merit on behalf of the President and the Office of National Service.

Mr. Peters, a retired White Plains, NY, police officer, has risked his life on numerous occasions to assist police since he moved to Miami in 1972. In 1978, he rescued a 10-year-old girl who was drowning. In 1982, he received a merit award from the American Po-

lice Hall of Fame for chasing two strong-arm robbers until he could write down their license number for police. In 1983, he rescued four children from a burning building in a Liberty City apartment. For this good deed, he was honored with the silver star for bravery of the American Police Hall of Fame. In 1984, he helped El Portal police catch two men who snatched an elderly woman's purse. He received a second silver star for bravery in 1989, for following a driver for miles who shot three pedestrians, thereby giving police directions on his car phone.

For his many acts of good citizenship over the years, he has also received recognition from the city of Miami, the city of White Plains, the American Law Enforcement Association, the U.S. Customs Service and the Citizens Crime Commission of Greater Miami.

I had the pleasure of bringing to the attention of the President such a distinguished citizen as Mr. Henry Stephen Peters. His selfless dedication to his fellow citizens is quite admirable. His acts of bravery and heroism have earned him an excellent reputation in our community.

I admire Mr. Henry Stephen Peters. He is truly an inspiration and a fellow citizen we should tailor our lives after. I am proud to bring him to the attention of my colleagues and the American public. Henry Stephen Peters—another one of Miami's many contributions to the thousand points of light.

**A SALUTE TO SGT. BARRY
CHARLES, AN AMERICAN HERO**

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. FOGLIETTA. Mr. Speaker, I rise today to pay tribute to a true American hero. Sgt. Barry Charles of Philadelphia proved himself to be a soldier of the finest quality during the recent gulf war, and has become a shining example and an inspiration to his entire community.

Prior to his outstanding service in the Middle East, Sergeant Charles was well known for his outstanding military skills, as well as his astounding boxing abilities. In 1990, Charles won the European Boxing Championship in the super heavyweight division, a feat that required physical stamina, as well as skill and mental determination.

Sergeant Charles took the attributes that made him a world class boxer with him as he boarded a plane on Christmas Eve 1990, headed for Saudi Arabia. His performance during the war was unflinching. Even after receiving a debilitating injury, Charles completed his mission tenaciously, zealously completing any task assigned to him. He has been described by his commanding officer as "a charismatic leader, whose tactical prowess significantly contributed to the accomplishment of the mission for his squad, platoon, and company."

The Army certainly recognized the accomplishment of Sergeant Charles, and decorated him with no less than 6 medals, the most notable of these being the "Hero of Hohenfels"

award for the best combat soldier in a field exercise. Sgt. Barry Charles is a fine example of military and personal excellence in Philadelphia, and throughout the United States. He has served his country honorably and selflessly. I certainly wish this American hero the best of luck in the upcoming years.

**HONORING BELL PARK JEWISH
CENTER**

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. ACKERMAN. Mr. Speaker, I would like to take this opportunity to pay tribute to the Bell Park Jewish Center, which on October 13, 1991, will be celebrating its 40th anniversary of serving the spiritual and social needs of the community.

In the summer of 1951, a Queens housing development was opened for American veterans. Members of the Jewish community living in that development met in August to prepare for the upcoming High Holidays. Using chairs borrowed from a funeral parlor and a meeting room in the housing development, they made arrangements for the worship of Rosh Hashanah, the Jewish New Year, and Yom Kippur, the Day of Atonement. Soon they had secured the services of a rabbi and Torah scrolls from other synagogues, and on the first of these High Holy Days 154 people crowded into the meeting room, admiring the voice of a retired cantor, Harry Kesselman, who had volunteered to lead the worship. The Bell Park Jewish Center was born.

Since that humble beginning, the congregation has received a charter and grown to become one of the largest in Queens. Last summer, I had the pleasure of greeting Rabbi Moshe Kwalbrun and President Daniel Friedenreich on the steps of the U.S. Capitol. Mr. Friedenreich has been an esteemed member of Bell Park Jewish Center's congregation since its inception, serving 17 terms as its president.

Mr. Speaker, I would like my colleagues in the House of Representatives to join me in congratulating Bell Park Jewish Center on its 40th anniversary, and in wishing them the best for many years to come.

KOREA MUST NOT BE FORGOTTEN

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. FRANK. Mr. Speaker, a constituent and good friend of mine, William J. Cavanaugh, is a retired military man who maintains an active interest in the well-being of the young men and women who serve our country in the Armed Forces. I have benefited from Bill Cavanaugh's advice on a wide range of issues involving the military, most importantly the unfair Feres doctrine which works against the rights of military personnel in the area of medical malpractice.

Recently, Bill Cavanaugh wrote a very eloquent and heartfelt letter to the Middlesex News in Framingham, MA about the Korean war and the need to remember that war. I ask that this forceful letter be reprinted here.

[From the Middlesex News (Framingham, MA) Aug. 8, 1991]

KOREA MUST NOT BE FORGOTTEN

July 27th has come and gone in this deliriously victorious post-Gulf War summer of 1991 with nary a passing reference in the Middlesex News (or in any other Greater Boston newspaper I have seen for that matter) to the historic armistice signed at 10 a.m. on that date in 1957 at Panmunjom Korea. Twelve hours later, hostilities officially ceased in the three-year, first and only direct conflict with the post-World War II Communist World.

The terrible costs have never been accurately totaled. Clay Blair, author of the epic history of that conflict, "The Forgotten War," lists the Pentagon's estimate of military casualties on both sides at close to 2.4 million. "Other sources," Blair says, "estimated civilian casualties in North and South Korea at about two million. Thus the total number of men, women and children, both military and civilian, killed and wounded is about 4.4 million, not to mention the devastation of an entire country.

Americans paid an enormously high price for this first engagement as a bonafide world class power only five years after World War II . . . 54,246 dead and 103,284 wounded. More than 7,000 are still listed as missing in action or otherwise unaccounted for. Incredible, almost 40 percent of these U.S. casualties, including 12,300 combat deaths, occurred in the final two stalemated years of the war (1951-1953) as the Panmunjom peace talks droned on.

These "late battle casualties" included my 19-year-old cousin, Navy Medic Joseph M. Keenan, killed four months before the armistice serving with the U.S. Marine Corps in one its endless retakings of some remote god-forsaken hill somewhere near the 38th Parallel.

I have reflected long and painfully on our "forgotten war" during and since our extraordinarily successful Persian Gulf War. Like nearly all United States citizens, I am enormously proud of our armed forces and their leadership throughout this most recent conflict. I wonder however, if the true total costs will be tallied, let alone disseminated. In the euphoria of victory, will they be forgotten along with those of the Korean War?

I, for one, do not think it excessive that we remember with reverence our first "U.N." war casualties at least once a year. It needn't be on July 27, and perhaps combining it with all other past U.S. conflicts on Memorial Day or Veterans Day is OK too . . . but let's not forget the "forgotten war" and the countless sacrifices of so many.—William J. Cavanaugh, Colonel, US Army Reserve (Retired).

SALUTE TO CALIFORNIA RIDESHARE WEEK

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. GALLEGLY. Mr. Speaker, next Tuesday the Simi Valley Chamber of Commerce is sponsoring the Simi Valley Transportation

Management Association's first annual California rideshare week celebration. As a native southern Californian, I am pleased that businesses in my hometown are working together to promote ridesharing, one of the most cost-effective ways of reducing air pollution.

More than a dozen of Simi Valley's largest employers have banded together to help businesses comply with Ventura County's vehicle trip reduction regulations. The TMA is an action-oriented association designed to collectively address transportation-related issues and to take advantage of public and private resources.

It's primary goal is simple—and necessary: to reduce traffic and improve air quality by using ridesharing, public transit, alternative work-hour programs, and other programs.

The rideshare celebration will inform area residents of some of the TMA's services, including a computerized ridesharing service, bus information, guaranteed ride home programs for employees who use transit or share rides, and information on developing child-care programs that fit in with a company's commuting needs.

Clean air is everyone's goal, and by reducing the number of cars on the roads we can make significant improvements in air quality. Mr. Speaker, I ask my colleagues to join me in saluting the TMA and encouraging all Americans to consider public transit and ride-sharing whenever possible.

CONGRESSMAN KILDEE HONORS TOM CORDELL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the House of Representatives to join me in honoring Tom Cordell who recently retired from the Michigan Petroleum Association after 19 years of outstanding service. Since 1973, Tom has been the guiding hand behind the MPA, molding it into a cohesive, effective trade organization.

Under Tom's leadership, the MPA has grown in stature and importance, working with the State government and regulatory agencies to meet the needs of business, government, and the public. As executive director of MPA, Tom also established the Michigan Association of Convenience Stores as well as many numerous programs and projects.

Tom's outstanding service for the MPA has been but a small part of his long and distinguished career in business association management that has spanned 44 years. Prior to his tenure at the MPA, Tom served for over 20 years as manager of the Chambers of Commerce in Michigan City, IN as well as Niles, Port Huron, and Highland Park, MI. In addition, Tom also served as vice president of government affairs at the Michigan Retailers Association. Over the past 44 years, Tom has earned the respect and admiration of his peers and the gratitude and appreciation from his fellow lobbyists and trade association executives.

Mr. Speaker, above and beyond Tom's professional talents, I truly mark him among my

personal friends for his kindness toward me and love of his own family as well as his sincere concerns about the well-being of my family. Tom is an overall gentlemanly good human being. Tom will be missed by his coworkers and friends. MPA will not only lose a great executive director but a great person as well. I wish him and his lovely wife Lois a fruitful and prosperous retirement.

THE MILITARY HOMEOWNERS' BASE CLOSING TAX RELIEF ACT

HON. TERRY L. BRUCE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. BRUCE. Mr. Speaker, I rise today to introduce the Military Homeowners' Base Closing Tax Relief Act. This bill will offer much-needed tax relief to the thousands of military and civil service homeowners forced to sell their home due to a military base closing.

The Military Homeowners' Base Closing Tax Relief Act is designed to require the Internal Revenue Service to include as real estate proceeds the monetary benefits many families received through the Defense Department's Homeowners' Assistance Program [HAP]. The IRS currently interprets the Tax Code to treat HAP benefits as personal income.

When a military base closure is announced, the market value of homes in the vicinity often falls dramatically. The HAP program was created in 1966 to assist military families and civilian employees of the Department of Defense faced with selling their homes at a loss by reimbursing them for the loss up to 95 percent of the preclosure value.

The HAP Program is run for the Secretary of Defense through the Department of the Army's Corps of Engineers. The programs are administered locally through the Corps of Engineers, who process all HAP claims, benefits, and withhold taxes for the IRS. According to the Corps of Engineers, approximately 20 percent of every HAP benefit is withheld for tax purposes.

When the IRS chose to tax the HAP benefits as personal income and not let them stand as sale proceeds of the home, it undermined the intent of the program. The Government is giving with one hand and taking away with the other.

The fact that the Base Closure and Realignment Commission recommended 34 bases for closure earlier this year makes the need for this legislation more urgent. Thousands of military and civil service employees can be assisted by this legislation.

Chanute Air Force Base in Rantoul, IL, was ordered for closure in 1988. Hundreds of people in and around my district have been unfairly treated by the taxing of their HAP benefits. The IRS has unfairly collected over \$82,000 in HAP benefit taxes from the people at Chanute Air Force Base since May 1990.

Nationwide, there are HAP programs being run at Chanute and Pease Air Force Bases, and the IRS has collected over \$3 million from the unsuspecting Defense Department employees at those bases who thought their Government was really helping them with the

process of relocating due to the base closure. It wasn't until a large portion of their benefits were taken away by the IRS that they realized what had happened.

My legislation has been endorsed by the Non-Commissioned Officers Association, The Retired Officers Association, the Fleet Reserve Association, and the National Military Family Network. These organizations represent a wide variety of military organizations and hundreds of thousands of American citizens and voters nationwide. These organizations and their members, our Armed Forces and their families, know the affect of this legislation, and they support it.

Don't let the IRS put another burden on those who must move or relocate due to a base closing. Ease that burden by cosponsoring the Military Homeowners' Base Closing Tax Relief Act, and enacting this important legislation this year.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF AMOUNTS PAID ON ACCOUNT OF MILITARY BASE CLOSINGS.

(a) IN GENERAL.—Section 1034 of the Internal Revenue Code of 1986 (relating to rollover of gain on sale of principal residence) is amended by redesignating subsection (l) as subsection (m) and by inserting after subsection (k) the following new subsection:

“(1) TREATMENT OF AMOUNTS PAID ON ACCOUNT OF MILITARY BASE CLOSINGS.—Amounts received under section 1013 of Public Law 89-754 (42 U.S.C. 3374)—

“(1) shall be treated for purposes of this chapter as part of the amount realized on the sale of the residence, and

“(2) shall not be treated for purposes of this title as compensation for services.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts received in taxable years beginning after December 31, 1989.

NATURAL RIGHTS GO TO OUR ROOTS

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. KOSTMAYER. Mr. Speaker, as the Senate confirmation hearings on the nomination of Judge Clarence Thomas to the Supreme Court get under way, the issue of natural law is receiving much attention. The judge's endorsement of a natural law philosophy has generated considerable controversy and has become a central issue in the Senate hearings.

To add to this important debate, I am submitting for the record an editorial which appeared in the Philadelphia Inquirer earlier this week. The op-ed piece, written by respected Philadelphia attorney Jerome Shestack, helps to shed some light on this important, but often misunderstood, matter.

While natural law arguments have been used to support an array of conflicting conclusions, and have raised concerns at both ends of the political spectrum, Mr. Shestack argues that natural rights philosophy deserves much more credit than it has been receiving.

In short, the editorial maintains that natural rights philosophy provided the moral underpinning for the U.S. Declaration of Independence, for the French Declaration of the Rights of Man, and for the Universal Declaration of Human Rights adopted by the United Nations. To Thomas Jefferson, these “unalienable” natural rights were life, liberty, and the pursuit of happiness. In fact, much of the American Bill of Rights can be seen as a delineation of aspects of natural rights.

Mr. Shestack concludes his essay with the hope that “[Judge] Thomas' espousal of natural rights may hopefully turn out to give comfort to those of us who believe that protection of individual rights and liberties is the core of our constitutional democracy.” Indeed, on a conservative high court with increasing disregard for individual rights, this would be a welcome development.

Mr. Speaker, I ask unanimous consent that Mr. Shestack's article be printed in the RECORD.

[From the Philadelphia Inquirer, Sept. 10, 1991]

NATURAL RIGHTS GO TO OUR ROOTS

(By Jerome J. Shestack)

A number of critics of Judge Clarence Thomas have focused on his espousal of natural rights philosophy. There are many reasons to question Thomas' qualifications for the Supreme Court, but doing so because he endorses natural rights seems to reflect a rather know-nothing attitude toward natural rights.

Natural rights philosophy deserves much more credit than it has been getting. Indeed, natural rights principles provided the moral underpinning for the U.S. Declaration of Independence, for the French Declaration of the Rights of Man, and for the Universal Declaration of Human Rights adopted by the United Nations.

Historically, the chief exponent of natural rights theory was John Locke, England's great enlightenment philosopher of the 17th century. Locke posited a natural state of man in which liberty prevailed since no one was subjected to the will or authority of another. However, to obtain the benefits organized society can provide, the members of a natural state entered into a compact by which they mutually agreed to form a body politic. But they retained their natural rights for life, liberty and property. If government did not protect these natural rights, it would forfeit its validity.

This concept lay behind Jefferson's statement in the Declaration of Independence that certain rights were “unalienable.” To Jefferson, the natural rights were life, liberty and the pursuit of happiness. Indeed, the denial of those rights, as the preamble to the Declaration of Independence states, was the rationale for the American Revolution.

The main criticism of natural rights doctrine was that it left vague what is considered part of the law of nature and, therefore, inalienable. In short, what is “natural” can differ from theorist to theorist.

Of course, establishing natural rights norms as constitutional principles solves a good part of this problem. Much of the American Bill of Rights can be seen as a delineation of aspects of natural rights, such as liberty (freedoms of speech, religion, privacy assembly) and life (integrity of the person, fair trial, etc.). Some of our Founding Fathers, such as Alexander Hamilton, James Wilson, and Benjamin Rush, believed that such rights were self-evident, inherent in a

republican form of government. But Jefferson, Adams, and most of the delegates at the 1787 Constitutional Convention believed that individual (natural) rights required constitutional protection. Fortunately, that view prevailed with the adoption of the Bill of Rights.

During the 19th century, natural rights theory fell into disfavor and was largely replaced with legal positivism. Positivism holds that legal authority stems solely from what the state has laid down as law. However, the flaw in positivist philosophy is that the law is no better than the source of its authority. The state can produce unjust and evil laws.

After World War II, natural rights theory revived, due in part to the revulsion against Nazism which revealed the horrors that could emanate from a positivist system that completely subjugated the individual to the state.

The approach of most of the new philosophers of natural rights can be called a qualified natural law approach in that they try to identify the values which have an eternal aspect. They also hold that only a positive law which meets those values can function as an effective legal system.

The renaissance of natural rights theory has had a beneficial influence on modern international human rights.

Thus, the 1948 U.N. Universal Declaration of Human Rights, begins: “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world . . .” Such concepts obviously have natural rights roots.

On the U.S. Supreme Court, all justices rely on textual justification in constitutional issues but one's philosophy invariably influences one's reading of the text. The conservative members generally incline to a positivist view that emphasizes the centrality given to Congress as the law making authority.

Liberal justices such as Justices Hugo L. Black, William J. Brennan Jr., Harry A. Blackmun and Thurgood Marshall, have stressed individual, unscriptable rights, revealing a natural rights perspective. It is ironic that Thomas, expected to vote with the conservative majority, should be criticized for a natural right philosophy which might well impel him to favor individual rights. The hearings on Thomas' nomination should provide ample opportunity to explore the sources, limits and expanse of his philosophy.

Whatever the shortcomings of natural law, the responsibility of government to promote human worth and dignity and the use of reason to realize men and women's potential in society are part of natural law philosophy and also the thesis of democratic government.

Thomas' espousal of natural rights may hopefully turn out to give comfort to those of us who believe that protection of individual rights and liberties is the core of our constitutional democracy.

**CELEBRATING DEMOCRACY: OR-
EGON'S WINNING VFW VOICE OF
DEMOCRACY SCHOLARSHIP PRO-
GRAM SPEECH**

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. WYDEN. Mr. Speaker, today I am proud to present the speech of Edwin Allen Reed, a young man from my district in Portland. Mr. Reed won the Veterans of Foreign Wars annual Voice of Democracy scriptwriting scholarship for the State of Oregon.

At a time when democracy is breaking out all over the world and many nations are recognizing the value and importance of an ideal the United States has held dear for over two centuries, it is gratifying to know that young people like Mr. Reed are taking the time and effort to think, write, and speak on the challenges of American citizenship, freedom, and democracy.

I commend Mr. Reed, as well as the other 138,000 students nationwide who participated in the program.

**DEMOCRACY—THE VANGUARD OF FREEDOM
(By Edwin Allen Reed)**

Jane Namirimu will not vote today. She will not vote today or tomorrow, or next week or next year. She may never have that freedom.

Jane lives in Uganda. She has known wars that have ravaged her country for her entire life, wars that have left control in the hands of dictator after dictator, depriving the country of over 800,000 of its citizens.

Uganda is not a bastion of democracy. It is a third-world country very different from our own democracy. Its government is unable to provide enough food and water to feed its people.

President Idi Amin's regime in Uganda and its disregard for the sanctity of human life and its massive violation of basic human rights is an example of what Amnesty International considers an enormous human freedoms violation. It is estimated that at least 100,000 people have been killed by Amin's forces since he took power in 1971.

Tom Wygant recently voted. He was not attacked on the way to the voter's booth, his house was not ransacked, his favorite political candidate was not assassinated in a back alley, and the local newspaper was able to report truthfully the results of the election in the morning edition.

Tom lives in the United States. Our democracy has created a haven for Tom's beliefs. It is his shield against the oppression and violence that exist in many nations around the world.

Like a house that provides shelter, democracy is protection. A roof will keep out rain and sleet and snow, just as democracy will defend its citizens from the harsh elements of political suppression, religious intolerance and social rebuke. Democracy, like the forward elements of an army, the vanguard, is continuously fighting to achieve freedom, and hold back the enemy.

Unlike any other system of government, democracy preserves human freedoms because of the principle upon which it is based: that power is in the hands of the people, and those people will determine what policies toward their fellow man will be allowed.

It was a concept that Thomas Jefferson knew well when he wrote these words in the

Declaration of Independence: "When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, a decent respect for the opinions of mankind requires that they should declare the causes which impel them to separation."

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

Democracy is in the front lines, in the trenches, advancing to new levels of human freedom. But the battle is a tough one.

Many poor countries believe that it is essential to provide economic gains at the expense of political rights, thus foregoing the traditions of Democracy. There is the belief that these advancements can only be made when civil and political rights are restricted.

America was born of an intense dislike for the tyranny of the previous rule. This dislike has made America the strongest democracy because along with the belief that it is essential to provide food and shelter as an everyday necessity, we also believe that the right to vote, the right to assemble, the right of political freedom and expression and the humanity of our justice system is an everyday necessity.

We must always remember, however, that although democracy, and particularly that democracy of the United States, is at the vanguard of human freedoms, the front line is only as strong as those who support it. It is the duty of every citizen of Democracy to uphold the basic human freedoms of the Ten WYgants of this world, and to fight for those same freedoms for the Jane Namirimus.

LOAN GUARANTEES TO ISRAEL

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. TORRICELLI. Mr. Speaker, during the August recess, both the Washington Times and the Miami Herald printed an insightful piece by our colleague, Representative LAWRENCE J. SMITH, on Israel's desire for United States loan guarantees. I believe that this piece clears up a good deal of the confusion that has been surrounding this issue, and I wish to submit it for inclusion in the RECORD.

[From the Miami Herald, Aug. 10, 1991]

**\$10 BILLION U.S. LOAN TO ISRAEL IS NOT A
LOAN (OR \$10 BILLION) IT IS AN INVESTMENT
IN FREEDOM**

(By Representative Lawrence J. Smith)

There is a great deal of confusion about Israel's desire for loan guarantees. It is said that Israel wants \$10 billion in cash from the U.S. Government, that it needs the money immediately, that the deal will be a budget-buster, that this is a quick payoff for attending the peace conference. But the truth is different.

1. The issue is immigrant absorption. A tidal wave of refugees, a million strong, is coming to Israel from the Soviet Union, Ethiopia, and Eastern Europe. Israel must provide homes and schools and jobs for the multitude, and do so with few economic resources in scarcely no time at all.

America's commitment to freedom of emigration was never made without an awareness of the consequences. By supporting the

right to emigrate, the United States committed itself to provide a full measure of absorption assistance. Just as the battle is being won, we cannot abandon the refugees or their intended haven. The moment to fulfill our commitment is at hand.

2. Israel is not seeking foreign aid. It needs loan guarantees, not grants or credits. It needs the United States to act as a co-signer, not as a lender, and not as a donor.

3. American taxpayers are not being asked to spend \$10 billion. We are not being asked to lend it to Israel either. Israel wants to borrow \$2 billion per year for the next five years from international banks. The loans will be repaid in full during the next 30 years. By guaranteeing the loans, the United States will enable Israel to obtain credit at favorable interest rates.

4. The net cost to the United States should be zero. The only Federal outlay will be a reserve to insure the Government against nonpayment or default. Loan guarantees are essentially an exercise in paperwork. Unless Israel misses a payment or defaults—something that it has never done—this loan program will consist of nothing more than the U.S. Government moving money from one account to another.

5. It's no budget-buster. The guarantee will represent only a small percentage of the loan amount. This "scoring" of the account can be as little as one-half of 1 percent of the face value of the loans for nations with sound economic prospects and a sterling record of debt repayment. If the Congress and the Office of Management and Budget agree that the account for Israel should be scored at one-half of 1 percent, the United States could guarantee the loans for Israel with as little as \$50 million.

Although the reserve will have to be treated in the Federal budget as money spent, the budgetary impact can be addressed in a number of ways. Money may be reallocated from other accounts. More money may be allocated to the Israel loan account. Or Israel may reimburse the Federal Government for the amount needed for the scoring. Israel also will pay administrative fees to the U.S. Government that will total several million dollars a year.

6. Loan guarantees are nothing unusual. The U.S. Government guarantees loans all the time. Farm loans and student loans rely on Government guarantees. So do the securities issued by Fannie May and Ginnie May. In 1992 alone, the Federal Government will lend or provide primary or secondary guarantees worth more than \$213 billion.

7. It's a low-risk proposition. Israel has never defaulted on a loan, never had to postpone repayment. To date, Israel has repaid the United States nearly \$8.7 billion in loan principal alone. By the common measures of credit worthiness—foreign debt as a percentage of Gross Domestic Product, annual foreign-debt service as a percentage of exports, and total foreign debt as a percentage of exports—Israel's standing is highly favorable.

8. The U.S. economy will benefit. The absorption of a million new citizens will require the importation of construction equipment, housing materials, machinery, and advisory services. Israel is already one of the best customers for products "Made in the U.S.A.," and its purchases during the next five years will create thousands of American jobs.

9. Israelis themselves, not the United States, will pay the lion's share of absorption costs. Over the next decade, the total cost of absorption likely will exceed \$50 billion. The Israeli taxpayer will provide at

least \$30 billion. Loan guarantees from other nations and donations from throughout the world will underwrite the balance.

10. The loan guarantees are politically and fiscally justified. They will enhance our influence with the nations of the Middle East and the USSR. They represent the final stage of a 20-year battle for freedom of emigration. They are an affirmation of America's humanitarian ideals, an exercise in justice and common sense.

BISHOP BARAGA DAY CELEBRATIONS

HON. ROBERT W. DAVIS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. DAVIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the work of Bishop Frederic Baraga. Each year the Bishop Baraga Association, with offices in Marquette, MI, holds a 2-day commemoration of the life and ministry of Bishop Frederic Baraga, the first Catholic bishop of upper Michigan. The significance of Frederic Baraga's life goes far beyond the Catholic Church and upper Michigan. Baraga devoted his life to the Chippewa and Ottawa Indians of northern Michigan. He wrote a grammar and dictionary of the Ojibwe language, built schools and provided teachers, bought land which he deeded to the tribe and energetically opposed all traffic in liquor. He lived among the Chippewa as one of them, sharing their poverty and the hardships of their lives. He also served the copper and iron mining communities as they developed.

This year Baraga days were held in Washington, DC, where James Cardinal Hickey, archbishop of Washington, delivered the following homily:

BISHOP BARAGA DAY CELEBRATIONS

Dear friends in Christ, in recent encyclical letters, Pope John Paul has called the Church to a renewed missionary zeal . . . he called us all to have a vigorous and urgent concern for bringing the Gospel to those who have never heard it, or to those whose faith is forgotten or has grown dim. Our Holy Father has also called the Church to the task of re-evangelization . . . to rekindle the faith in countries where the Church has been well established, yet where so many people have left the Church. Indeed the Pope has challenged all of us to be profoundly renewed in the authentic faith of the Church so that we can help others to re-discover the faith of their parents and ancestors.

On this special weekend, we have been reflecting on Bishop Baraga—on his holiness, his determination to follow the Lord, "to do the one thing necessary." Today I want to speak of Bishop Baraga, the missionary, the tireless preacher of the Gospel; I want to speak of how he lived out the words of St. Paul: "Preaching the Gospel is not the subject of a boast; I am under compulsion and have no choice. I am ruined if I do not preach it!"

We may think it was easier to preach the Gospel in times past. We may see past centuries as less complicated than our own or imagine that the Church in past times was more serene than it is today. We should not harbor that illusion in the case of Bishop Baraga! He encountered much misunderstanding and great hardship in his efforts to

preach the Gospel. But he pressed on, courageously and lovingly, to become an example for all who would be evangelizers—or re-evangelizers. He was a man anxious, determined to share his faith.

We know that Frederick Baraga was ordained to the priesthood at St. Nicholas Cathedral in Ljubljana in 1823. It was not an easy time to be a priest. During that period, much of Europe had grown cold in the faith, often as a result of an erroneous view of the faith called Jansenism. Prayers to the saints were discouraged, pilgrimages, sodalities, processions, novenas were banned. Only rarely was the Blessed Sacrament exposed, the blessing of candles and pictures was frowned on. The practical effect of Jansenism on the people was to discourage confession, making it overly rigorous and, in consequence, the reception of the Eucharist became a rare event. Many felt they were practically beyond the mercy of God; and some of the clergy, themselves practically beyond the mercy of God; and some of the clergy, themselves infected by Jansenism, did not help their people understand and accept the transforming mercy of God.

But the young Father Baraga was not among them. He was first sent to St. Martin's in Smartno where he brought true nourishment to the spiritually starving people. In consequence, long lines of people were found at his confessional. He helped his people as well to experience the joy of the Eucharist, to open their hearts to the merciful, loving and forgiving Lord Jesus. He practiced great charity to the poor. He reached out to the sick in great numbers, more than any of the priests with whom he served. So many were won over and brought back to the faith; so many returned to the Sacraments!

All this did not go unnoticed by his fellow priests. Some accused him of exaggerated devotion to the Blessed Sacrament. Some called him "the fool of St. Martin's." They objected to his introduction of the Stations of the Cross and his emphasis on devotion to the Sacred Heart of Jesus and to our Mother Mary. Soon he found himself reprimanded, even by his bishop and transferred to Metlika; aware of the criticisms, he still reached out in love in this new parish just as he had done before in Smartno. He was convinced of the need to preach the Gospel. Again his spirit of personal penance, his convincing sermons, his tireless work irritated his colleagues; they soon berated him and complained about him to the bishop.

What a heavy cross this must have been for him. His efforts to preach the Gospel met with ridicule . . . and he began to wonder if the Lord were calling him to preach the Gospel elsewhere. Then one day, he happened upon a booklet written by Bishop Benwick, the Bishop of Cincinnati. Bishop Fenwick described the great needs of his vast diocese which extended through Ohio to the upper reaches of Michigan and Wisconsin. The Bishop spoke of his desperate need for priests to minister to the Native Americans living there. Bishop Fenwick's appeal promised only hardship but Father Baraga eventually understood that the Lord was asking him to preach the Gospel there. In 1829 he asked permission of his bishop to go the missions, to work in the Diocese of Cincinnati. In 1830 he was welcomed by Bishop Fenwick to the missions of the New World and by May of 1831 Father Baraga found himself at Arbre Croche near the present day Harbor Springs, Michigan, preaching the Gospel to the Ottawa Indians of the region.

His first winter at Arbre Croche was very long and unusually severe. His log cabin,

which permitted the rain to come through, afforded even less protection against the cold. All day long he wore an overcoat even though a good fire was kept in a little iron stove. Some of the days in the first two months of the new year were so cold that he thought he would not be able to finish Mass. Before services he would heat the water and wine, but before the time came for its use, he would have to break the ice that had formed.

His zeal for the Gospel was truly remarkable. In 1833 he visited the Grand Rapids area in Michigan; in 1835 Marquette City, Sault Ste. Marie in upper Michigan; and then La Pointe in present day Wisconsin. In 1843 he went to L'Anse in upper Michigan. All of the missions sometimes required immense hardships. Our heroic missionary suffered much as he travelled through this vast wilderness. Once he walked without stopping for nearly 24 hours to reach a remote village. When necessary he would go on snow shoes with only a piece of bread in his pocket; but in his heart and on his tongue was always the Gospel—to preach in a hut or the assembly hall of a newly-founded settlement.

This great missionary not only preached the Gospel he also communicated it by writing. He composed a grammar and a dictionary in the Chippewa language and proceeded to write some 28 devotional books!

In 1853, the great missionary Frederick Baraga was ordained a bishop and was given responsibility for Michigan's upper Peninsula. He had few buildings, little money and only 17 priests. Already his health was declining yet he laid strong foundations for the Church. He established many missions and mission schools. He defended the rights of the Native American Indians, mindful of their human dignity in the eyes of God. He continued his arduous travels and lived in true poverty!

Then in 1866, while attending the Second Plenary Council of Baltimore, Bishop Baraga suffered a fall and a stroke. It weakened his body but did not crush his spirit. He insisted on returning to Marquette to die among his beloved Indians. The stroke changed the Bishop's physical appearance so that he came to resemble the Indians whom he loved so much.

Dear friends, what lessons do we draw from the life of this courageous missionary as we keep his Cause alive in our hearts? Let me suggest the following:

First, Bishop Baraga teaches us the need to be evangelizers, to spread the Gospel, to help bring back those who have fallen. If we would hope to spread the Gospel, we must know the Lord and be convinced of the saving power of His love. We must have confidence in the teaching of our Church and in the graces received in the sacraments. We must know that the Gospel as it comes to us through the Church are words of "spirit and life"—capable of transforming and redeeming us!

Second, we must not be afraid to suffer ridicule for the sake of the Gospel. Jesus told us to expect persecution for the sake of the Gospel. Bishop Baraga experienced it and we can expect to experience also when we reach out to the alienated and the unchurched, when we stand up for what is right. Like Bishop Baraga we must not be deterred; we must not fall silent or change our mind! We must speak the truth in love!

Third, we must be true missionaries . . . missionaries in our homes, in our places of work, among our friends and even to our enemies. We must look for every opportunity to help people understand what the Church teaches and why. By our charity,

our concern for others we must show the mercy and love of Jesus. We must be ready to encourage people to know and love the Lord Jesus.

Dear friends, with St. Paul and Bishop Baraga as our guides, we must ask for the grace to be good evangelizers . . . men and women of deep faith, men and women ready to share our faith with our families, our neighbors, our friends. We may not walk for hours in snowshoes to remote villages but we must have the same urgency in preaching the Gospel of Jesus to all. Through the prayers of Bishop Baraga may we respond to the Lord's call: "Go into all the world and preach the Gospel . . .".

WOLFFS—50 YEARS IN AMERICA

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. WEISS. Mr. Speaker, every year I come to the well of the House to commemorate the anniversary of my arrival in America. On that day, I reflect upon the many meaningful lifetime opportunities which I have had in this great country. Now, it is my great pleasure to tell the House of the anniversary of my constituent, Ellen Wolff Ducat, on behalf of her brother, Walter Wolff, and her late parents, Arthur and Elisabeth Wolff, who arrived in America, 50 years ago today, on September 12, 1941.

In 1933, the Wolffs left their hometown of Koblenz, Germany and moved to Brussels. They fled Brussels in 1940, only days before the German army marched in. Traveling by car, the Wolffs, accompanied by an American family friend, headed for France. Throughout their 1-year journey, they occasionally found themselves face-to-face with the German army.

Ellen Wolff Ducat remembers one particular event during their journey when her family was quartered in a castle in Noyelles-sur-Mer, a coastal village northwest of Paris. Platoons of German soldiers also inhabited these grounds, for the estate was being used as a staging area to fan the army throughout the region. One day Ellen returned to the family's quarters and found that their possessions had been ransacked. Among the rummaged items in the family car, Ellen discovered a Hebrew prayerbook which had belonged to her grandmother. Ellen hid this prayerbook, and kept it with her for the rest of her journey. Fortunately, the soldiers who were responsible for the raid were suddenly relocated and the Wolffs fled to safety again. Recently, Ellen presented her grandmother's prayerbook to one of her daughters as a symbol of their family legacy and their heritage.

Finally, in July 1941, after months of frustrating negotiations with American embassy officials in Marseilles and the help of relatives in the United States, the Wolffs were granted visas to America. They obtained transatlantic passage on the *Navemar*, which sailed from Cadiz, Spain, and arrived 6 weeks later on September 12, 1941, in Brooklyn Harbor.

The family's son, Walter Wolff, completed his last year of high school in New York City and was then drafted into the U.S. Army. He

first served as a medic, and later in military intelligence in the European Theater of Operations. Returning to New York after the war, Walter graduated from Columbia University and is now a successful retailer. Walter is married to Leila, and they have a son, David, who is in business with his father, and a daughter, Nina, who is an artist.

In the 50 years since the family arrived in the United States, Ellen Wolff Ducat has made a home for herself on the Upper West Side of Manhattan and has become an accomplished watercolorist. When not painting, she works as a multilingual tour guide in New York. As an adult, she graduated with honors from Brooklyn College. Ellen and her former husband, Josef B. Ducat, are the parents of two daughters: Sue, producer of the television news program *Washington Week in Review*; and Vivian, a television producer for public television in this country and for the British Broadcasting Company.

I join with Ellen and her family in their celebration of this very momentous anniversary.

A CONGRESSIONAL SALUTE TO BISHOP D.B. BOUGHAN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to an outstanding individual who has dedicated much of his life to the betterment of our society. On Thursday, September 12, 1991, Bishop D.B. Boughan will be honored as the Worshipful Master of the Year and Mason of the Year presented at the 52d Annual Convention of the Masons of the World. This occasion gives me the opportunity to express my deep appreciation for his dedicated work in this key community organization.

Bishop Boughan was initiated into the Most Worshipful St. Joseph Grand Lodge in May 1976. Since that time he has proven to be one of the most dedicated and supportive members of this chapter. A prime example of his leadership role is evident in his founding of the local chapter, the Patmos Lodge 777, of which he was recently elected worshipful master. In his long and distinguished Masonic career, Bishop Boughan has also been awarded the ACC-Pauline Award for Masonic Achievements.

In addition to his Masonic work, Bishop Boughan has contributed greatly to the spiritual community. He has been given the distinct honor of pastoring the Chapel of Roses Church for the last 24 years. Local community leaders acknowledged his leadership role by awarding him the 10th District Ministerium Award. A man of such strong conviction is also a man of tremendous learning, obtaining a doctorate of divinity and honorary doctorate of letters and law degree.

Bishop Boughan has also been recognized for his long history of community service with such awards as the 8th and 10th District Service Awards and the Los Angeles Police Department Crime Prevention Award.

On this special and most deserving occasion, my wife Lee, joins me in extending our

heartfelt thanks and congratulations to Bishop Boughan. We wish him all the best in the years to come.

WESTERN SAHARA: AFRICA'S LAST COLONY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. TOWNS. Mr. Speaker, in 1975, Morocco's King Hassan II led 300,000 of his subjects into the Western Sahara territory by foot to establish Morocco's claim. When Spain pulled out a few months later, it divided the territory between Morocco and Mauritania. Under pressure from the Polisario Front, a group fighting for Western Saharan independence, Mauritania gave up its claim in 1979, however, by 1988 Moroccan lines extended down to the Mauritania border in the south.

While conflict over this vast, mineral-rich desert region has been going on for 16 years, Morocco and the Polisario guerrilla group signed a cease-fire agreement in June, setting September 6 as the cease-fire date, as a first step toward ending the dispute. A total of 1,700 United Nations peacekeepers are expected to deploy in the region to monitor this cease-fire agreement while officials prepare for a U.N.-supervised referendum in January 1992. At that time native Sahrawis from the territory will be asked in a secret ballot to choose between independence or integration with Morocco.

I submit for your review the following analysis by Ms. Teresa K. Smith de Cherif made at the African-American Institute's Congressional Staff Seminar in New York on June 14, 1991. Ms. Smith de Cherif has over 10 years of professional and academic experience in Northwest African affairs. In addition, for 4 years she directed the Sahara Campaign, a U.S. nongovernment organization that focused on the human rights situation and development challenges of the Western Sahara people. This statement provides historical background and reiterates that Sahrawi democratic expression has begun to take form through the call for free elections. The people of the Western Sahara deserve the same right of self-determination as people in the Soviet Union or Eastern Europe. The referendum will be the first democratic choice of the Sahrawi people. If independence is the outcome of the vote, they have committed themselves to a multiparty democracy with a free-market economy. Hopefully, the United States will fully support the self-determination efforts of the Sahrawi people.

THE UNITED STATES AND WEST SAHARAN REFERENDUM

(By Teresa K. Smith de Cherif)

The Sahrawis of Western Sahara are an African people hardly known in the West. There have been no televised-music concerts, nor front-page news stories on their plight. Yet, this desert nation has persevered. Their country, the former Spanish Sahara, is located across the ocean from Florida, wedged between the Atlantic and the inhospitable hamada region of the vast Sahara, between the Mediterranean littoral and sub-Saharan Africa, and between the West and Islam.

U.S. interest in the Western Sahara began 175 years ago, when James Riley, captain of a U.S. brig named the *Commerce*, and his crew were shipwrecked on September 7, 1815 off the Cape Blanc peninsula, the southernmost tip of Western Sahara. Two years later, he published an account of his trek through the desert with the fiercely independent Sahrawi nomads.

Since 1975, the Kingdom of Morocco, with 160,000 troops, and the Sahrawis' nationalist Polisario Front have been contending for control of this mineral- and fisheries-rich patch of desert land. Had it not been for the Tripartite Madrid Accords of 14 November 1975, the Western Sahara already might have achieved independence, after nearly a century of Spanish rule. The fate of the Sahrawis, however, coincided with a dying Generalissimo Francisco Franco and with grave uncertainties about an orderly transfer of power in metropolitan Spain. Setting honor and obligations aside, Spain devised a manner to retrench from its last overseas colony in a record 103 days. The Tripartite Accords allotted the northern two-thirds of the Spanish Sahara to Morocco and the southern third to Mauritania. This violated the standard practice on decolonization and prevented the holding of a self-determination referendum for the Sahrawi people. Only a year earlier, in 1974, Spain finally had agreed to organize a plebiscite, following annual requests by the United Nations (UN) since 1966.

The Spanish reversal prompted the armies of both Morocco and Mauritania to roll into Western Sahara in the autumn of 1975. The Sahrawi people resisted, but not without great human costs. During the course of the war, thousands of Sahrawis have died from bombardments and aerial bombings or have disappeared. After four years, Mauritania withdrew and signed peace with Polisario on 5 August 1979. Some nine days later, Morocco moved to occupy the whole of Western Sahara.

The annexation of Western Sahara by Moroccan military force contravened important principles of international law, including the respect for boundaries inherited from the colonial period, the right of a nation not to be annexed against its will, and the primacy of a people's right to self-determination over the historic claims of neighboring states.

Morocco argued that its Saharan campaign was designed to recover lands of its lost empire, "Greater Morocco." While Moroccan dominion was said to have extended from contemporary Morocco to the Senegal River and to salt mines in northern Mali, Morocco suddenly dropped its 20-year claims to all of Mauritania and to parts of Algeria, Mali, and Senegal, in pursuit of the acquisition of Western Sahara. At the time, in 1975, Western Sahara was an easy grab, as compared with all the other independent neighboring states. Moreover, in 1962-1963, in trying to make western Algeria its own, Morocco had initiated and lost one war. While military units secretly took up positions in Western Sahara, 350,000 Moroccans crossed the border on 6 November 1975 as a popular expression of support for King Hassan's moves.

Even the Green March, as this Moroccan popularity poll was called, could not confer on the Moroccan state any right to the territory of Western Sahara. As a UN Mission of Inquiry that toured Western Sahara in May 1975 reported, the Sahrawis categorically were in favor of independence and they opposed integration with any neighboring state. Furthermore, the International Court of Justice, in an exhaustive study published

in October 1975, had dismissed both Moroccan and Mauritanian claims over Western Sahara, emphasizing that the Sahrawi people should enjoy their right of self-determination. Nevertheless, it was the so-called Green March that caught the world's attention for a brief moment in the long history of the Sahrawi people.

At the time, if U.S. policymakers had read Captain Riley's account, they may not have believed the expert predictions that the Saharan affair would be over in six weeks.

After sixteen years of war, the Sahrawi population may be divided by sand berms and international boundaries; yet, in many ways, they remain a vibrant community. Currently, there are 165,000 Sahrawi refugees in southwest Algeria, some 50,000 ethnic Sahrawis in Morocco and Mauritania, sizable Sahrawi communities in the West, and, perhaps, 30,000 Sahrawis inside Western Sahara. For example, in Spain, the Sahrawi community has earned education, advanced skills, and work experience. Accordingly, across mainland and insular Spain, one can find Sahrawi air-traffic controllers, engineers, restaurateurs, psychologists, nurses, pharmacists, lawyers, and students. In Mauritania, the Sahrawis have become technocrats in the state's fishing and mining industries, as well as private entrepreneurs, students, and workers in mines and other factories.

It is in the refugee camps, however, where the most remarkable progress has been made. There, the Sahrawis have turned the harsh desert of their exile into an enabling environment. In the midst of another drought on the African continent, the Sahara is blooming: Sahrawis have planted 100 acres of vegetable gardens in their refugee camps. The gardens are one of many self-supporting programs initiated by the Sahrawis. By meeting some food needs locally, this agricultural initiative also reduces the total dependency on foreign food aid that is quite common for refugee populations, let alone many developing countries.

While refugees and displaced persons in much of the Third World suffer from starvation and disease, the Sahrawi exiles are generally healthy. Today, there are no listless faces, nor blank gazes in the hamada. Fifteen years ago, however, conditions in Sahrawi camps were similar to those in northern Iraq, coastal Bangladesh, and the southern Sudan. Since then, the Sahrawis have implemented a comprehensive health-care system, whose main thrust is preventative. This self-supporting measure makes every effort to produce a caring environment, where health problems are addressed at an early stage.

While the World Bank and others only recently have begun to make development efforts people centered, the Sahrawis have focused on building human capacities throughout their sixteen years in exile. With minimum supplies of books, paper, and visual aids, the Sahrawis have created public schools from the nursery through secondary levels, vocational training programs, and remedial education classes for adults. This program aims to enable the Sahrawis to use their own resources, by tapping the intellect and creativity of each individual.

While many African countries remain tied to foreign aid, the Sahrawis have aimed for self-sufficiency. Emphasizing grassroots participation, indigenous training, and the informal sector, the Sahrawis have created an enabling economic environment out of the otherwise harsh hamada. Today, the Sahrawis are meeting the most basic needs of food, clothing, and housing through local production. By encouraging individuals to

show the way, the Sahrawi development strategy has produced a vibrant labor force. Remarkable strides made by the informal sector are evident among Sahrawi nomads. Today, some 200 nomadic families supply food and raw materials to the Sahrawi refugees. With support from the overall Sahrawi population, they have succeeded in reestablishing impressive camel herds in Western Sahara. By having found an outlet for their crafts and desert materials, Sahrawi nomads have incorporated themselves into the emerging Saharan economy. With continued encouragement, they may be able to continue practicing an art that is disappearing rapidly in other Saharan countries.

The enthusiasm for democracy burgeoning across the African continent also is emerging in the Sahrawi refugee camps. Demanding democratization before independence, however, is truly remarkable, given the postcolonial African history of monotonous one-party rule. Individual Sahrawis have led the way with concrete measures for the achievement of political pluralism. Sahrawi democratic expression has begun to take form—through individual dissent, non-governmental commissions for human rights and democracy, and the call for free elections. The Sahrawi democratic initiative is an extension into politics of their economic program of individual empowerment.

Self-help measures are what have moved the Sahrawis from crisis to growth. With high morale, future-oriented direction, and practical experience, the Sahrawis have overcome the difficulties of exile. Moreover, they are implementing political reforms aimed at the total democratization of Sahrawi society.

Sixteen years ago, the United Nations was powerless to prevent the war in Western Sahara and the exile it produced. Empowered by unprecedented multilateral cooperation, the United Nations will implement in January 1992 a self-determination referendum in the Sahrawis' homeland. The Sahrawis will choose between independence and integration with Morocco. The achievements of the Sahrawis during sixteen years of exile point to a bright future. The central question is whether the world will pay attention to Western Sahara at its turning point.

Unfortunately, the United Nations faces limitations in implementing the referendum process, not the least of which is the \$200 million budget. It will be difficult for a small UN force of 1,695 peacekeeping troops to prevent incidents and clashes in a territory the size of Colorado. Furthermore, there will be nearly one Moroccan soldier stationed in Western Sahara for every eligible Sahrawi voter, making it critical that there be a climate of fairness, not intimidation. The UN plan does aim to provide some confidence-building measures, which I am sure will be discussed today. As yet, however, the United Nations has made no provisions to locate some 800 disappeared Sahrawi civilians. What is more, 100,000 Moroccan civil servants and settlers will remain in Western Sahara at the time of the vote, outnumbering the civilian Sahrawis. No independent observers nor press coverage, save UN radio and TV, are planned.

In addition, the UN High Commissioner for Refugees (UNHCR) will organize the repatriation program for Sahrawi refugees and individuals who live outside the territory but are eligible to vote. The difficulty is that UNHCR independently must raise the \$34 million necessary for this operation. Its first pledging conference began in Geneva, on 13 June 1991.

The referendum will be the first democratic choice of the Sahrawi people, who have committed themselves to a multiparty democracy with a free-market economy, should independence be the outcome of the vote.

This moment offers key officials in the United States and Spain to become involved in an UN effort to solve another regional conflict. Still, more is required than lending verbal support or pledging funds to the budgets of the UN referendum mission (MINURSO) and UNHCR repatriation program. The Congress should engage the administration of George Bush in as many levels as possible. Dear colleague letters may offer a start. The United States should attach personnel to MINURSO, and encourage the former colonial power in Western Sahara, Spain, to do the same. This would help alleviate regional tensions and strengthen moderate forces within the Sahrawi and Moroccan communities. A success in Western Sahara also could help move the United Nations another step toward its envisioned role as world peacemaker.

THERE IS AN UNEMPLOYMENT EMERGENCY IN AMERICA

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. FASCELL. Mr. Speaker, a long shadow was cast over Labor Day observances across the country this year—the collective shadow of the 7 million unemployed Americans. These people want to work, support their families, and contribute to society, but there simply are not enough jobs to go around. The unemployment benefits many of them receive will soon run out and, contrary to some economic declarations, the economy is not yet on the rebound and there are no jobs on the horizon.

Millions of Americans are facing personal emergencies as the end of the 6 month time period for which unemployment benefits are paid approaches. Feeding and housing families is hard enough, but doing so without a job and without unemployment benefits is a genuine emergency and should be treated as such.

As the House resumes its deliberations on this issue, I commend to our colleagues' attention today's editorial from the Miami Herald.

JOBLESS-PAY CUTOFF IS CRUEL

The August unemployment figures aren't encouraging. Though the national rate stayed at 6.8 percent, Florida's is a stunning 8.1 percent.

That's the percentage of the work force looking for work in August. However, only 2.4 percent of Floridians who qualify for unemployment insurance are receiving benefits. Most of Florida's unemployed fall into nebulous categories. They may get welfare, or be secondary wage earners hoping to shore up family finances or students.

Federal rules require that the proportion of unemployed insured workers receiving benefits would have to reach 5 percent before Florida could extend benefits by six months. The 2.4 percent of insured unemployed doesn't include those—96,000 Floridians—who have exhausted their benefits. By comparisons, a total of 88,600 exhausted theirs in all of 1990.

The maximum weekly unemployment payment in Florida is \$225, but not everyone

qualifies for that much. Payments can last a year. When payments run out, some people have to sell their homes or exhaust whatever savings they may have left.

Others may find low-paying jobs and simultaneously learn a new skill. Federal programs pay for tuition then. The irony is, most people getting jobless benefits can't apply for retraining aid until jobless benefits run out. Florida's Labor Department sensibly wants the Feds to change the rules.

Forcing unemployed workers to desperation levels before helping them learn new skills is demoralizing. It can destabilize communities where unemployment is widespread. Florida has many, Dade County among them. Congress ought to change the education rules, but it has already provided help now. It voted to extend jobless benefits across the board for six months, calling the economic situation an emergency.

President Bush signed the bill but not the emergency declaration needed to trigger extensions. He thus cast adrift millions of jobless Americans struggling to recover from layoffs and plant-closings. Their decline will further erode communities. The President's cold-hearted attitude ill bespeaks his "kinder and gentler" rhetoric.

PRIVATIZATION AND LINE ITEM VETO

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. DUNCAN. Mr. Speaker, I recently read two commentaries which deserve the attention of our colleagues.

First, a column by David Broder which appeared in the Washington Post and syndicated to other newspapers across the country, calls privatization something "no politician—liberal or conservative—can ignore." He emphasizes efforts by State and local government to rid itself of those activities which the private sector can and should do better than the bureaucracy.

Former Defense Secretary Caspar Weinberger, writing in the August 19 edition of *Forbes*, calls for privatization, line-item veto, a balanced budget requirement, and other budget process reforms.

If Congress is serious about reducing the deficit it will heed the advice in these columns and enact these meaningful tools to eliminate unnecessary spending and focus Federal resources on the critical issues facing our Nation that are the proper purview of the Federal Government.

The text of these columns follow.

[From *Forbes* magazine, Aug. 19, 1991]

PRIVATIZATION AND ITEM VETOS—GOOD FOR STATES AND WASHINGTON

(By Caspar W. Weinberger)

Several states, ranging from Maine to California, have had an exceptionally difficult time balancing their budgets this year. They went days and even weeks beyond the start of their fiscal year without any budget, and were forced to stop many state activities. Some cynics think this is all to the good, but state governments do perform some important functions, many of which need to be continued. Part of the problem is common to most states: Their revenues fell far below

last year's estimates because the national economy fell below expectations, and state revenues based on sales and income taxes declined accordingly.

Most states have constitutionally mandated balanced-budget requirements and must address a deficit. The federal government deals with the problem by inaction or desperate budget summits (which are usually worse than inaction). The last federal budget summit agreement resulted in deficit projections in January of about \$280 billion for fiscal year 1992. By last month the projected deficit had risen by nearly \$70 billion.

The Office of Management & Budget insists that the summit's deficit reduction plan is a success because "the major changes in estimates have been in areas that are exempt from the new budget disciplines, such as deposit insurance, [the net cost] the Gulf war, and technical reestimates." This is an odd definition of success.

Incidentally, with respect to the Gulf war, the latest figures show that our allies have contributed about \$44.5 billion, and pledges will add another \$10 billion. This should still some complaints about our allies' support.

But, back to the states. Most distressed state governments are addressing the deficit problem in traditional ways, that is, with a combination of increased taxation and some reluctantly granted reductions in spending.

There is a third, and a fourth, way, as former OMB Director James Miller has pointed out. The third way is the adoption of a number of budget procedural reforms, such as an item veto. That veto is now in effect in 43 states, 10 of which give their governors the authority either to write in a lower spending level or to veto the entire item. Mr. Miller suggests, after a careful study of all the data, that if the President had been given this power, as Presidents for decades have requested, about \$450 billion would have been saved over the period 1982-89.

Other budget procedural reforms that could help both the states and the federal government include reducing or eliminating so-called nonappropriated funding outside normal budgetary review; requiring super majorities such as two-thirds or three-fourths of the legislature to approve tax increases; and, of course, a constitutional balanced-budget requirements.

Mr. Miller recently told the House Ways & Means Committee of a fourth way to reduce expenditures: privatization. The states are embarking on this path by contracting out some health and custodial requirements, meal services, etc. What is not realized is the number of congressional roadblocks to privatization of federal activities. We could, for example, farm out the collection of delinquent loan payments owed the federal government and eliminate the Postal Service monopoly—in fact, privatize the whole Postal Service.

We still have a federal Postal Service only because of a typical compromise made in the early 1970s. A determined effort to privatize the delivery of mail met postal unions' and, therefore, congressional opposition. Instead of the issue's being fought through, a compromise was arrived at under which we have the worst of all worlds: a government-owned corporation; 750,000 civil service employees with a strong union helped by a Congress that responds to pressure groups of 750,000; and the ever-increasing cost of mailing a letter—always with more to come.

We could sell Amtrak, as we did Conrail in 1987, and thus eliminate the annual subsidy we pay for it. We should sell the power marketing administrations, such as Bonneville

Power, Alaska Power and others, whose delivery of power is more costly than by private utilities. There are many other examples.

There is more privatization at the state level than the federal because the states must meet balanced-budget requirements, which is another good reason for imposing that on the federal government.

[From the Washington Post]

PRIVATE FIRMS, PUBLIC SERVICE

(By David S. Broder)

CHICAGO—At first glance, no two public officials could seem less alike than Chicago Mayor Richard M. Daley and Massachusetts Gov. William F. Weld. Weld is a patrician Republican with a strong libertarian streak. Daley is a lunch-pail Democrat, whose values reflect the influence of his famous father's instinct for melding government perquisites and political power.

Yet Weld and Daley have become equally ardent advocates of "privatization," the process of opening government services to competitive bidding by private firms as a way of cutting costs and improving productivity in a time of fiscal austerity.

Under the relentless pressure of budget crises in state and local government, privatization has moved with remarkable speed from being a conservative cult idea to the center of policy innovation by Democrats as much as Republicans. Indeed, when Sharon Pratt Dixon, the new mayor of Washington, asked Daley for advice, his reply, officials say, was "to privatize everything you can."

From high-speed rail service in Texas to liquor sales in Montana, governors of both parties are seeking ways to spin off functions to private business so they can reserve their own budgets for essential tasks. Claims of efficiency override ideology and tradition—nowhere more dramatically than in Chicago.

When Daley became mayor two years ago, one of the main gripes of citizens and aldermen concerned the number of abandoned cars on the streets. Policemen had to tag each car and report its location, then wait for a city crew to haul it away. Even after fines and reclaiming charges were assessed, it was costing the city \$25 per car.

Daley decided to start shifting the work to private towing companies, working from "hotline" citizen complaints. The response is faster, and now the city collects \$25 per car—a net shift of \$50 for each transaction. So far, more than \$2 million has come into the treasury—and policemen are freed for other duties.

Similar steps have been taken with tree-trimming and stump-removal and with janitorial services in some public buildings. While these measures have been generally applauded, Daley ran into criticism when he shifted the work of a neighborhood drug-treatment center to private firms and told the displaced city employees to work nights and weekends at other health centers. But he is convinced that privatization is the policy to push.

"We're constantly looking at more things," Daley said in a recent interview. "I don't automatically say no to anything." After successful results with a recent experiment in contracting out engineering work for backlogged sewer projects, he is prepared to let private engineering firms bid on more city jobs. Maintenance contracts are now included on all city purchases of trucks and cars, and Daley wants more public building management and maintenance handled by private firms.

"Cities have taken over many functions we should not be doing," the mayor said, "and we've lost sight of our vital responsibilities."

Daley has hedged his privatization with important political safeguards. So far, no city employee has been fired, although many have been transferred to other, more useful duties. To avoid any charge of union-busting, Daley has an ironclad rule that the city will deal only with unionized firms. But it still means that city employees and their unions face new competition.

Frank Kruezi, Daley's policy adviser, concedes that the privatization drive might seem strange to the first Mayor Daley, who built a renowned political machine of city payrollers. But with voters in rebellion against high taxes, Kruezi says time has run out on the old City Hall joke, "Why hire one person when four will do?" As the new Mayor Daley put it, "People want services without higher taxes, and they don't care who gives it to them."

Weld, the newly elected governor of Massachusetts, could not agree more. In a recent Washington speech to the National Privatization Council, he said he has ordered each of his Cabinet members to give him a checklist of regulations that prevent private firms from competing with the state in providing public services. "It's not an issue of public versus private," Weld said, "It's an issue of monopoly versus competition. . . . I've discovered that regulations can act sort of like an import tariff. . . . They are protectionist. They keep other providers from entering the market."

Weld has learned, as Daley did, that privatizing health services is a good deal more controversial than turning over menial functions like laundry and janitorial services to business firms. Social-service employees and their clients fight change. But, like Daley, he is looking for areas to expand the experiment, whether it be a high-speed rail link from Boston to Springfield or the operation of a second Boston airport.

Across the country, the Privatization Council meeting showed, other mayors and governors are moving in the same direction, seeking to bring the benefits of competition inside the public sector.

The common factor in all these experiments is the desire to set up a system that pays for results—and builds in accountability. Clearly that is what citizens want. If privatization can deliver it, no politician—liberal or conservative—can ignore this approach.

INTRODUCTION OF THE BANK EMPLOYEE PROTECTION ACT—H.R. 3315

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. LANTOS. Mr. Speaker, earlier this year the Government Operations Subcommittee on Employment and Housing, which I chair, held a series of hearings on how poorly bank employees are treated when the Federal Government seizes a failing bank. Our hearings focused on the Federal Deposit Insurance Corporation's [FDIC] takeover of the National Bank of Washington [NBW] and its sale to Riggs National Bank.

Riggs purchased NBW's assets at a bargain basement sale price. The sale sign should

have read: "Going Out of Business Sale—50–80% Off." This was a deal that even Crazy Eddie couldn't beat. The takeover of the NBW by the FDIC and the sale to Riggs amounted in effect to legalized bank robbery.

It was the NBW employees, however, who got robbed. The NBW employees not only lost their jobs, but they were robbed of benefits guaranteed them under the collective bargaining agreement between NBW and the Office of Professional Employees International Union. Accrued vacation pay and severance pay were denied by the FDIC. The NBW had acted as a self-insurer for health insurance benefits for many of its employees. Hospitalized NBW employees and their families suddenly found themselves without insurance to pay their hospital bills. Claims for medical services and treatment incurred by NBW employees before the Federal Government closed the NBW were refused payment by the FDIC. NBW retirees lost their company paid health insurance without warning.

In 1989, Congress passed financial institution rescue legislation, the Financial Institutions Reform, Recovery and Enforcement Act [known, as all things are in Washington, by its acronym FIRREA]. Section 1821(e) of FIRREA gives the FDIC authority to terminate contracts of a failing bank that are "burdensome." On its face this section of the statute does not distinguish between business or commercial contracts and a collective bargaining contract. Congress never considered and never intended that a collective bargaining contract would be treated as if it were an extermination contract with Orkin. When Congress crafted the FIRREA statute, it failed to provide specific protections for workers at financial institutions seized by the Federal Government, a situation that this legislation will change.

This bill—H.R. 3315—seeks to protect the jobs and benefits of bank workers in the event of Federal Government takeover. It empowers the FDIC to require a purchaser of a bank to retain the employees or give these employees a preference in any future hiring. It provides for the payment of accrued benefits to the workers. It also limits the FDIC's ability to repudiate an existing collective bargaining agreement at will.

Mr. Speaker, I would like to place in the RECORD a particularly cogent editorial from the July 22, 1991, Washington Business Journal. The editorial asks why—when the National Bank of Washington failed—did the FDIC choose to cover \$10 million in uninsured deposits which the bank had in its Caribbean branch, while at the same time denying severance pay, accrued vacation, health insurance, and retirement benefits to the bank's employees?

Mr. Speaker, this is a question all of us should be asking. It is a matter we in the Congress should address. I invite my colleagues to join me in sponsoring this important piece of legislation to assure fair and equitable treatment of employees of banks in bank takeovers.

[From the Washington Business Journal, July 22, 1991]

A QUESTION OF PRIORITIES

When the National Bank of Washington failed, \$10 million in uninsured deposits the bank had in its Caribbean branch were quiet-

ly paid off by the Federal Deposit Insurance Corp. through Riggs National Bank.

When the National Bank of Washington failed, the bank's 800 employees were left without severance, accrued vacation, health insurance or even retirement benefits they had earned over years of service. They asked for \$1 million. They have received nothing.

We have to wonder why. Why would the FDIC pay \$10 million to individuals most certainly more wealthy than the bank's employees whose lives were turned upside-down when NBW failed? One reason the FDIC gives is that it isn't compelled to do so under the law. But that argument doesn't wash given the insurance agency's conduct in recent years and with NBW in particular.

The law, as it stands and to which L. William Seidman, chairman of the FDIC, pledges such allegiance, actually gives the FDIC wide discretion in its decisions about what to cover and what not to. The Bank of New England was "too big to fail," and both its employees and its uninsured depositors were safe, NBW, under this doctrine, was not too big to fail. But those \$10 million in foreign deposits, the FDIC obviously thought, were too important to snub.

Instead, the FDIC snubbed 800 of Washington's workers, and still are ignoring them. The agency has not allowed their rightfully claimed compensation to dwindle its books.

Rep. Tom Lantos, a California Democrat, posed the question to Seidman last winter: "I'm not asking you what you can do under the law, I'm asking you what you should do." Seidman's only answer was "You made the law."

On the eve of the nation's most sweeping reform of the banking system, we hope Congress can look away from the glamorous issues of bank powers for a moment and look at the issues of deposit insurance reform, and its impact not only on the depositors of this country but also the people who take care of those deposits. Not the people with golden parachutes, but the people who by being there every day, to help a customer make a deposit, make this country's depositors feel much safer than the FDIC sticker on the door.

H.R. 3315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Depository Institution Employee Benefits Protection Act".

SEC. 2. RETENTION OF EMPLOYEES BY ACQUIRING DEPOSITORY INSTITUTIONS.

Section 13(c) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)) is amended by adding at the end the following new paragraph:

"(10) EMPLOYEE RETENTION.—

"(A) IN GENERAL.—As a condition for providing any assistance to any insured depository institution or depository institution holding company which acquires (as defined in subsection (f)(8)(B)) any insured depository institution for which the Corporation has been appointed conservator or receiver, the Corporation shall require such acquiring institution or company to take such action as the Corporation determines to be appropriate to retain employees of the institution for which the Corporation has been appointed conservator or receiver or give such employees a preference in any future hiring by the acquiring institution or company.

"(B) APPLICABILITY IN CASE OF MORE THAN 1 ACQUIRER.—If the assets and liabilities of any

insured depository institution for which the Corporation has been appointed conservator or receiver are purchased or assumed by more than 1 acquiring institution, the Corporation may apply the requirement established by subparagraph (A) with respect to such acquiring institutions in such manner as the Corporation determines to be appropriate."

SEC. 3. PROTECTION OF EMPLOYEE BENEFITS.

(a) CONTINUATION OF COLLECTIVE BARGAINING AGREEMENTS OF DEPOSITORY INSTITUTIONS IN RECEIVERSHIP.—Section 11(e) of the Federal Deposit Insurance Act (12 U.S.C. 1821(e)) is amended by adding at the end the following new paragraph:

"(14) COLLECTIVE BARGAINING AGREEMENTS.—

"(A) IN GENERAL.—Notwithstanding paragraph (1), the Corporation may not disaffirm or repudiate any collective bargaining agreement with any insured depository institution for which the Corporation has been appointed conservator or receiver which was in effect at the time of such appointment.

"(B) RENEGOTIATION.—Subparagraph (A) shall not be construed as prohibiting the Corporation from renegotiating the terms of any collective bargaining agreement referred to in such subparagraph in accordance with the provisions of such agreement."

(b) EMPLOYEES OF INSTITUTIONS IN RECEIVERSHIP WHO ARE NOT COVERED BY COLLECTIVE BARGAINING AGREEMENTS.—

(1) IN GENERAL.—The Federal Deposit Insurance Corporation and the Resolution Trust Corporation shall take such action as may be necessary with respect to any depository institution for which any such Corporation has been appointed conservator or receiver to ensure that the obligations and policies of the institution with respect to employees of such institution as of the date of such appointment, including any retired or other former employee, are honored by the Corporation as conservator and receiver and any successor to the institution.

(2) BENEFITS SPECIFICALLY INCLUDED.—The obligations and policies referred to in paragraph (1) include the following obligations and policies with respect to employees:

(A) Health care coverage, including continuation coverage requirements for group health plans, and other medical benefits.

(B) Severance pay.

(C) Accrued sick and vacation leave.

(D) Pension rights and benefits, including any liability for any unfunded or underfunded pension plan or deferred compensation plan.

(3) PROCEDURES TO PROVIDE FOR ASSUMPTION OF EMPLOYEE BENEFIT OBLIGATIONS BY SUCCESSOR INSTITUTIONS.—The Federal Deposit Insurance Corporation and the Resolution Trust Corporation shall implement procedures, in connection with the resolution of insured depository institutions for which any such Corporation has been appointed conservator or receiver, to ensure that any insured depository institution or depository institution holding company which acquires any such institution (or is otherwise the successor to such institution, including any bridge bank or new bank established under section 11 of the Federal Deposit Insurance Act) shall assume the obligations and continue the policies of the acquired institution with respect to the employees and former employees of such institution to the greatest extent practicable.

(c) RECOMMENDATIONS FOR FURTHER LEGISLATION ACTION.—Before the end of the 120-day period beginning on the date of the enactment of this Act, the Federal Deposit In-

surance Corporation shall submit a report to the Congress containing such recommendations for additional legislative action as the Corporation may determine to be appropriate to carry out the purposes of this Act.

AG TRADE AND TECHNICAL ASSISTANCE FOR THE SOVIET UNION AND BALTICS

HON. TIMOTHY J. PENNY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. PENNY. Mr. Speaker, today, along with Representatives GUNDERSON, BROWN, BOEHNER, PETERSON of Minnesota, WEBER, STALLINGS, BARRETT, JOHNSON of South Dakota, WALSH, KAPTUR, VENTO, and SIKORSKI, I am introducing a House resolution urging the President to continue to provide agricultural credit guarantees and technical assistance in agriculture for the Soviet Union, the independent Baltic nations, and the individual Soviet Republics.

The Soviet grain harvest for 1991 appears to be much reduced from last year. The Soviets imported about 26 million tons of grain last year, but 1991's estimated import needs are 40 million tons or more. In addition, consumer hoarding of foods, poor storage, transportation, and marketing systems, and the fact that many collective farms are withholding their harvests for the prospect of higher prices means the Soviet food pipeline could be nearly empty this winter.

Increased exports of U.S. grains and value-added products like meats, butter, and vegetable oil in addition to much-needed technical assistance in food production and distribution will greatly increase consumer confidence in the ability of reform-minded government officials to put food on the tables of Soviet citizens. Increasing the food security of the Soviet people is the best short-term way we have to support the dramatic democratic reforms happening there.

The United States has provided \$2.5 billion of agricultural credit guarantees this year to the Soviet Union, and reports indicate that much more could have been used. This is not food aid nor direct credit, but Government guarantees of bank credit for commercial sales of foods and feeds. We should support the continued use of this program to meet the important food needs of the Soviet people and to fill requests that we are receiving from the independent Baltic nations and the Soviet Republics.

In addition, U.S. exports of agricultural goods create a tremendous multiplier effect on our economy, improve our trade balance, and lead to budgetary savings due to lower crop deficiency payments. Since U.S. banks are balking at the use of the GSM Program in its current form, I urge the President to consider increasing the GSM guarantee level for both principal and interest payments. I think the credit guarantee program will prove to be the most cost-effective way to assist the Soviets and United States farmers over the long term.

Finally, I am urging the administration to increase our technical assistance and exchange programs in agriculture with the Soviet Union,

the Baltic nations, and the individual Soviet Republics. The Soviets suffer from poor agricultural production, inadequate food storage, processing and transportation systems, and a lack of adequate agricultural input supply and food marketing networks. United States farmers, agricultural cooperatives, and private agribusinesses are highly qualified and ready to assist the Soviets and all of Eastern Europe with their food production problems.

One such program which has proven to be highly successful is the Farmer-to-Farmer Program funded by the U.S. Agency for International Development and implemented through Volunteers in Overseas Cooperative Assistance [VOCA]. The Farmer-to-Farmer Program has sent over 1,000 American farmers to assist in the development of efficient private sector agriculture in developing countries and emerging democracies. The program has been especially successful in supporting the growth of small- and medium-scale agribusinesses and private sector cooperatives in Poland and is now being expanded to other Eastern European countries.

Following is a text of the resolution:

H. RES. —

Whereas the Soviet Union, the independent Baltic Nations, and the individual Soviet Republics face possible short-term food, feed, and fiber shortages in the coming winter due to short harvests, inadequate infrastructure and processing facilities, and consumer hoarding;

Whereas food and feed shortages in the Soviet Union could contribute to added political, economic, and social instability there, and United States food and feed exports would help to foster continued democratic reforms in the Soviet Union;

Whereas representatives of the Soviet Government and the Soviet Republics have repeatedly stated their food, feed, and fiber import needs, and have indicated their desire to purchase, on commercial terms, United States agricultural commodities, including value-added products such as pork, poultry, butter, vegetable oil, flour, beef, and milk powder;

Whereas the Soviet Central Government and the governments of the Soviet Republics continue to request credit and credit guarantees for the purchase of United States agricultural commodities;

Whereas the United States provided the Soviet Union with \$2,500,000,000 in agricultural credit guarantees in 1991;

Whereas the Soviet Union has historically been one of the largest and most important markets for United States agricultural products and has traditionally been a reliable cash customer for United States agricultural goods;

Whereas United States farmers have benefited greatly from agricultural sales to the Soviet Union, and such sales have contributed positively to the United States trade balance and the United States budget deficit by lowering agricultural subsidies paid to United States farmers;

Whereas the current GSM agricultural credit guarantee program has not been utilized fully, including funds recently allocated but still unregistered because of United States banks' unwillingness to participate in the program due to the amount of loan principal and interest guaranteed: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the President should—

(1) allocate to the Soviet Union and the Soviet Republics the remaining \$585,000,000 in agricultural credit guarantees available for 1991;

(2) consider granting additional agricultural credit guarantees, up to at least 1991 levels, to the Soviet Central Government, the independent Baltic Nations, and the governments of the Soviet Republics to meet their food, feed, and fiber needs for the coming year;

(3) make necessary changes to the GSM agricultural credit guarantee program to increase the amount of guaranteed principal and interest to increase the use of the program by United States exporters and banks;

(4) continue to send teams of United States agricultural experts from the United States Department of Agriculture and the private sector, including United States agricultural cooperatives, to the Soviet Union and the Baltic Nations to assess food and feed needs and the need for technical assistance to improve the food production, processing, storage, transportation, marketing, and agricultural input distribution systems; and

(5) increase the level of United States cooperative technical assistance, training, and exchange programs with the Soviet Union and the Baltic Nations in agriculture and related fields, send United States agricultural cooperative experts to the Soviet Union and the Baltic Nations, and increase support for such existing efforts as the "Farmer-to-Farmer" exchange program so that they may be initiated in the Soviet Union and the Baltic Nations.

A CONGRESSIONAL SALUTE TO DR. P.J. JONES

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to an outstanding leader in the Los Angeles area. On Thursday, September 12, 1991, Dr. P.J. Jones will be honored for his 50 years of distinguished service to the Masons of the world. This occasion gives me the opportunity to express my deep appreciation for his dedicated work for this key community organization.

Dr. P.J. Jones holds the distinct honor of having carried the intent of formation of the Most Worshipful St. Joseph Grand Lodge and the Most Worshipful Mount Olive Grand Chapter, Order of the Eastern Star to the National Headquarters in Texarkana, AK in 1949. There he met with Grand Master I.W. Muldrew to receive the rights of organization for the local chapter. This meeting, 50 years ago, signaled the beginning of the long history of Dr. Jones' work to organize lodges and Eastern Star chapters throughout the United States and across Europe and Asia.

Alongside his worthy contributions to the Masonic organization, Dr. P.J. Jones has also dedicated much time and effort to many noteworthy religious services. He is the founder and pastor of the First Evergreen Missionary Baptist Church in Compton, CA, and vice president of the Baptist Minister Conference.

His many years of service in the private sphere brought Dr. Jones to the attention of Los Angeles civic leaders who asked him to

serve as president of the Los Angeles Mayors Civic and Hospitality Board. It was not a surprise that Dr. Jones carried out this job with all the dedication and energy he brought to his past efforts.

It is not often an individual with such a wide range of community service comes to my attention. Therefore, on this most special and deserving occasion, my wife Lee, joins me in extending our heartfelt thanks and congratulations to Dr. Jones. We wish him all the best in the years to come.

THE V-22 OSPREY PROGRAM

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. WELDON. Mr. Speaker, Congress will make a critical decision this year on the V-22 Osprey Program. Defense conferees will determine whether we move ahead with construction of additional aircraft or defer to the Department of Defense and remain in a research and development holding pattern yet another year.

The V-22 tiltrotor combines the features of fixed wing aircraft and helicopters to offer increased range, speed and maneuverability over the existing medium-lift fleet. Many studies, including one done by the Department of Defense, show the V-22 to be the most cost-effective option to replace the worn fleet of CH-46's.

I am confident that Members recognize the advantages of this revolutionary military aircraft, and that Congress will work to ensure its timely delivery to our military forces. But many do not recognize the full domestic potential of the Osprey. Acquisition of this aircraft would spawn a whole new generation of tiltrotor aircraft with far-reaching domestic potential. For example, use of tiltrotors would reduce congestion at major airports because they do not require a runway for takeoff. They could be used to fight forest fires, contain oil spills and aid in search and rescue and in many other domestic services.

To illustrate the domestic potential of this aircraft, I would like to submit for the RECORD a letter I received from Dr. Mark Alexander. His comments make it clear: The V-22 could make the difference between life and death not only on the battlefield, but in health care delivery here in the United States. That may be one of the most important benefits of this aircraft, but is only the beginning. I urge my colleagues to read his comments and consider the many benefits this revolutionary aircraft could bring to communities throughout America.

WINSTON-SALEM, NC,
May 14, 1990.

NANCY LIFSET,
Office of Congressman Weldon, Washington, DC.

DEAR CONGRESSMAN WELDON: I am concerned about the possible cancellation of the V-22 Osprey program. This program could be instrumental in improving or aiding the aeromedical field.

I am a resident in Emergency Medicine. In the field of trauma care the faster a badly

traumatized victim reaches surgery the more likely they will survive. If a victim can reach surgery within the first hour after an accident the morbidity and mortality are dramatically reduced. This first hour is called the Golden Hour. Helicopters have been instrumental in reducing the time it takes to get a person to surgery as well as provide sophisticated medical personnel and equipment directly to the scene of an accident. The V-22 could provide fast service to further areas away from trauma centers. This could prove instrumental in saving lives in areas not normally serviced by rapid emergency services. When seconds count in the matter of a life, speed can be an invaluable friend.

The Coast Guard also would be able to put the V-22 to excellent use. The V-22 does not have the downwash of a helicopter and would not buffet a debilitated victim who has been in the water for a long period of time. Due to the V-22's speed, fuel efficiency and longer range it could cover more of a search area. This would be invaluable in search and rescue as well as with anti-drug operations.

On the battlefield the ability to land vertically as well as combining the speed of an airplane could provide safe medical evacuation from a battlefield. The combination of helicopters and the V-22 could advance medical trauma care. These two technological advances could be instrumental in saving lives. Both have advantages that need to be explored in order to provide fast, rapid, safe medical evacuation from accident scenes.

The Air Care program here at North Carolina Baptist Hospital was instrumental in saving a man's life here. He had crashed in an ultralight aircraft into an area that could not be reached by ground equipment. Helicopters and vertical takeoff/landing aircraft are invaluable in rescues like this. The V-22 could definitely save time with its speed. I know of many times that the rapid delivery of patients by the Air Care helicopter was instrumental in saving the lives of critically injured patients.

Thank you for your time.

Sincerely,

DAVID ALEXANDER, M.D.

BAY AREA LEADERS ENDORSE WATER REFORMS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. MILLER of California. Mr. Speaker, we are making very significant progress towards reforming the archaic, costly, and wasteful allocation of the water in the State of California.

In recent weeks, leading newspapers in southern and northern California have joined in endorsing legislation by Senator BILL BRADLEY and myself that would allow for the redistribution of some of the water currently under long-term contracts in order to address severe fish and wildlife impacts, to provide supplemental supplies for urban areas, and to reduce public subsidies.

We have met with business leaders, farmers, and water officials and won unprecedented support for our reforms, which include an end to the Department of Interior's mindless determination to renew all 40-year water contracts as they expire for an additional 40 years at current volumes.

Recommitting water in the 1990's as it was allocated in the 1940's, when California had less than a third of its current population, is bad resource management, bad economics, and bad for the environment. Water is the key to economic growth and to environmental quality. Agriculture is a crucial part of our State's economy, but a relatively small part. To continue to allocate agriculture 85 percent of all our water, while some farmers are using subsidized water to grow surplus and subsidized crops, is simply no longer acceptable. A modest savings, achievable through reasonable conservation, improved cropping patterns, realistic pricing, and retirement of low quality, contaminated lands can easily produce all the water urban areas require for the foreseeable future, and at a significant cost saving to taxpayers.

As a result of the drought, many in our State are rethinking their traditional views on water allocations. The San Diego Water Authority, whose agricultural customers pay \$400 an acre-foot—compared to less than one-tenth that price in some Central Valley project-served areas—is actively supporting our efforts, as are developers, municipal officials, and others in southern California.

The House has already passed important drought relief and water reform legislation. We are very hopeful, based on the public comments of Chairman Bennett Johnston in San Francisco last week, that the Senate will soon act on its bills so that we can enact this long-awaited, and increasingly consensus legislation, without further delay.

This week, the Bay Area Economic Forum, a coalition of business, labor, academic, and local leaders, issued an impressive new report that further strengthens our case. "Using Water: A Market-Based Approach to California's Water Crisis" demonstrates that the economic future of our State is dependent on the development of a modern, growth-oriented, environmentally sound water policy.

Here is a portion of the executive summary of this important new report:

USING WATER BETTER

WHY CALIFORNIA NEEDS A WATER MARKET

Experts in water policy often assert that water allocation is complicated. That is not true. The truth is that water allocation has been made complicated by water policy. It is not the nature of water that makes allocation difficult, it is the nature of policies adopted over the years.

In fact, water is one of the simplest commodities known to man. It literally falls from the sky, while ground water comes from wells. Water arrives in the form most desired—it does not have to be reprocessed for use except to remove impurities picked up in the transportation system.

The complications arise because of an unwillingness to treat water the way we treat most other products. While policy makers often intervene in the distribution of other resources—with taxes, restrictions, and regulations—markets still are relied upon to determine final allocations within those constraints.

With water, however, policy makers have not permitted decentralized users to determine final allocations, but have instead decided to control distribution of water directly. And in doing so, policy has been forced to explicitly consider the millions of decisions about water use—decisions that

would be made more flexibly, automatically, and at lower cost by individuals in a decentralized market.

Water is a resource that can be squandered or used wisely. The difference between these outcomes is determined by how well the allocation process works. A look at the current administrative allocation system leads to one clear conclusion: centralized planners do not have sufficient knowledge to make wise choices about how to best allocate water.

In contrast, a decentralized market system allows actual users to decide how much to use, balancing the value of those uses against the value of potential uses by others. By taking into account these individual-specific needs, values, and uses, a market leads to better allocations. For, while water is a simple commodity, it has a pervasive and complicated role in human activities and industry, and wise decisions about water require the detailed assessment and mutual adjustment possible only at the individual level.

IMPORTANCE TO THE BAY AREA

Reforming the water allocation system is important to all regions in the state, and the Bay Area is no exception. In fact, water supply problems are threatening to become a major constraint to the region's growth.

The region's important semiconductor and computer industries are threatened. Along with most other businesses in the area, they need dependable sources of high quality water to maintain their production, yet recent water policies have undermined reliability, availability, and quality.

A report presented last year to the Bay Vision 2020 Commission indicates that eight of the nine Bay Area counties will meet or exceed their water supply capacities by 2010. Only Sonoma County has a supply sufficient to support growth beyond that year.

The Hetch Hetchy system is the largest single water source for the Bay Area, serving 2.6 million people. Nearly all of the existing capacity of the system is committed to current users. While San Francisco has the right to draw additional water from the Tuolumne River, it lacks the conveyance capacity to deliver this water to its customers.

The Contra Costa and Santa Clara Valley Water Districts together serve almost two million people. Both draw much of their supply from the Delta region. Even in normal years, water quality is a problem because of high concentrations of dissolved salts.

The East Bay Municipal Utility District serves more than one million customers. It has abundant rights to water from both the Mokelumne and American Rivers, but it lacks sufficient storage capacity for the former and conveyance facilities for the latter.

Exports of water both upstream and from within the Delta average more than 50% of total freshwater flows. These diversions threaten wildlife, fisheries, and the efforts by the public and private sectors to reduce pollution of the Bay and Delta.

Water is a paradox in the Bay Area. It defines the region, provides much of the physical beauty of the area, and is a major reason the economy has developed and blossomed. It also is largely taken for granted by the region's economic interests. Business has been complacent, allowing the Bay Area's 67 water districts to deliver water to the area's nine counties in an uncoordinated fashion.

Further, when water resources have been threatened, economic interests have been quiet. When the Bay became polluted in the 1960s, and swimming was not allowed in San Francisco's Aquatic Park, it was environ-

mental groups, not businesses, that spoke out and worked to clean up the Bay. Yet the benefits of a clean bay to business are immeasurable. The tourist industry thrives on it, industrial firms demand it, and the fishing industry survives on it.

Silence, however, is no longer an option. Five years of drought have caused Bay Area residents and businesses to take a hard look at water policy in the state. Luckily, there are solutions. Primarily, we have to re-think the way we allocate water in the state. In this report, it is shown how a shift to a market-based allocation system for water in the state can provide ample water to urban areas for growth and improve the environment without sacrificing a strong farm economy.

A BLUEPRINT FOR REFORM

Water allocation needs to be reformed. The current drought has highlighted the ineffectiveness of the allocation system. Farmers face severe cutbacks in deliveries, urban consumers are rationed, and the environment suffers.

Perhaps worst of all, the cutbacks are widely viewed as arbitrary and unfair. Users are pitted against each other in a contentious zero-sum political process to get a bigger share of the pie, rather than determining responses that will minimize the cost of a drought.

It is the view of the Bay Area Economic Forum that fundamental reforms are needed in the state's allocation system. The reasons behind this view, and a blueprint for an effective, reformed water distribution system, are the focus of the report, "Using Water Better: A Market-Based Approach to California's Water Crisis."

WHAT WOULD THE SYSTEM LOOK LIKE

A market-based water allocation system would not be an unregulated system. The nature of the industry suggests that it would best be designed and operated like other utilities.

Holders of water rights should be able to freely sell their current or long-term rights in a market. Markets, such as those used to trade oil, natural gas, or bulk electrical power, offer models of how such a market can be structured.

The water transportation network is a natural monopoly. Although some exceptions may apply, most of the system can be operated as a common carrier that sets rates to cover delivery costs and a return on the invested capital.

Water utilities would continue to be regulated. Rates should be based on a fixed charge that covers capital costs and a variable charge that reflects the utility's cost of buying the water.

TIME TO MAKE A CHANGE

The recent drought has highlighted the unfairness and ineffectiveness of the current allocation system. But the problems would have emerged even without the drought. California's population is growing rapidly, and urban needs for water are rising while available supplies are falling.

Preventing this growth by limiting water supplies for new growth is not an option. Both federal and state law dictate that urban use takes precedence over agricultural use. If limits on urban users remain unreasonably high, political interests will move to force the reallocation.

Moreover, preventing growth by arbitrarily limiting water is not desirable. Properly managed, growth brings new, dynamic companies to the region, and creates strong employment opportunities for the area's residents. New residents enrich the culture of the state.

The state is at a crossroad. We can choose to build new facilities to create a temporary fix, but that will impose large costs on water users and on the environment. We can impose some arbitrary changes in agricultural use and water allocations that do not use incentives to promote innovations in production practices. Or we can turn to market forces and use a system that encourages conservation and careful use—a system which responds flexibly at minimum cost to changes in supply and demand conditions and ensures that water used most productively.

The key findings of the report, "Using Water Better: A Market-Based Approach to California's Water Crisis," are the following:

California's water problem is not one of supply, but one of poor allocation.

Current allocation methods impose large and unnecessary costs on the state's residents. Switching to market-based approaches would provide significant benefits to those residents.

While market allocations would provide large benefits over the current system, they would not change final allocations very much. The value of some additional water to urban users is very high, but they don't need very much more. Thus, minor changes in agricultural practices could free up enough water to satisfy those needs. And farmers would voluntarily make those changes in return for compensation offered in a market.

Water markets can make all water users better off.

Market-based approaches are feasible, but require fundamental changes. Shifting to a market-based allocation system can be done, and the costs during the transition will not be that high. Changing the system involves the following steps:

Defining water rights. In setting these rights, the owner must have clear title to the resource and be able to sell it to other potential users; and the total amount of rights cannot exceed the available supply (the system cannot be over-committed).

Establishing environmental standards. Water quality standards need to be established (in the form of minimum flow requirements) to protect environmental quality. Moreover, to protect ground water resources, the process of regulating ground water basins must be extended to all overdrafted basins in the state.

Providing compensation. If the new rights distribution requires diminished rights, those who lose rights need to be compensated.

Changing the focus of regulators. Under a market-based approach, the government would continue to have several important functions: achieving environmental quality standards. The state would ensure that sufficient water is reserved or allocated to protect the environment. It could also buy additional water for the purpose of environmental enhancement, setting rates of return for the water transportation and distribution networks.

Although the changes are fundamental, they need not take a great deal of time. Water rights are evolving and can be steered towards greater definition. The process to establish water quality standards is underway, and can be speeded up. And, the bureaucracy to regulate water is in place, and can be redirected.

A TRIBUTE TO MONROE COUNTY PHEASANTS FOREVER

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to Pheasants Forever, a national nonprofit organization of conservationists and sportsmen and women dedicated to protecting, preserving and developing pheasants and pheasant habitat.

This organization is represented very strongly in Monroe County, MI, where local sportsmen and women, farmers, and the business community have joined together to make certain that the pheasant survives and thrives in southeast lower Michigan. Monroe County chapter president Rob Seib has led this group's work to assure that the necessary environment and food are provided for an ideal wily ringneck pheasant habitat.

Because of rural and urban land use practices over the past several decades, many of these natural habitats have been destroyed, threatening the pheasant's existence. The Monroe County chapter has joined several chapters of Pheasants Forever in many other States to finance and promote the restoration of a liveable pheasant ecosystem.

Pheasants Forever allows its local chapters to retain all money raised for use in the restoration process. As a result, the Monroe County chapter has individually established its own program to address the most critical restoration needs of our community.

Mr. Speaker, this evening in Temperance, MI, the Monroe chapter is holding its first Sportsman's Dinner to raise additional funds which will further its most noble mission. I would like to take this opportunity to congratulate Monroe County Pheasants Forever on the occasion of its first Sportsman's Dinner, and to thank its members for the inspiring work they are doing on behalf of Michigan's wildlife.

PASSIVE LOSS CORRECTIONS

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. GALLO. Mr. Speaker: I rise today to urge that the House be given the opportunity to promptly consider the bill HR 1414, the Passive Loss Corrections bill. This important legislation, which enjoys the support of more than 300 cosponsors, is needed to correct a provision of the passive loss rules which unfairly penalizes owners of rental real estate.

The issue, Mr. Speaker, is fairness. Fundamentally, it's about fairness to those property owners who are being squeezed during these difficult economic times because the present passive loss rules treat them differently from those involved in other businesses.

But it's also about fairness to the American taxpayer, who is picking up the tab to fund the Resolution Trust Corporation. One of the reasons that tab is continually growing is because

the current passive loss rules are encouraging property owners to abandon properties which would otherwise be productive, thus adding to the RTC's inventory of marginal properties.

Enactment of this bill will not solve all of the problems facing the real estate industry. However, it will help reverse the troubling downward trend which continues to threaten our economic recovery. We cannot hope to have a robust recovery unless the real estate sector of our economy participates.

Mr. Speaker, this bill has broad support in this House and in the committee of jurisdiction. I urge you to bring it to the floor for a vote as soon as possible.

BUT WHAT IF WE'D HAD THE OSPREY?

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. WELDON. Mr. Speaker, the success of Operation Desert Storm has erased many nagging doubts about the value of our defense dollar. The money we invested in high-tech weapons systems and a well-trained force gave us the critical edge in battle, and enabled us to bring this conflict to a rapid and victorious conclusion.

We can take pride in the positive findings of the postwar analysis. But we must also determine the limitations we faced and make necessary adjustments if we intend to maintain an advantage against any future aggressors.

I would like to submit for the record the attached article from the Marine Corps Gazette. This piece illustrates many advantages that V-22 would have provided in this conflict, including a dramatic increase in combat readiness, decreased reliance on foreign air bases and reduced strain on our overburdened strategic airlift fleet. Also revealing are the many advantages this aircraft offers which were not required in this conflict, such as protection against nuclear and biological contamination, but which may be vital in future encounters.

We now have four V-22's flying, with over 500 hours of flight time. The House has directed the Navy to proceed with the construction of six additional aircraft, and the program has been moving along without any major technical difficulties. Every major study done on this program has shown that the V-22 has greater speed, range and maneuverability than existing medium-lift aircraft and that it is the most cost-effective option for replacing the overworked fleet of CH-46's. It is time Congress move ahead with this program, and ensure that our military forces have the best technology available to give them the edge they need in battle:

BUT WHAT IF WE'D HAD THE OSPREY?

(By Col. Harvey F. Crouch, Jr.)

(What if Marine and Army forces in the Gulf had MV-22 Ospreys during operations there? Would the MV-22 now be touted as one of the best examples of the United States' technological edge in weapons design? In this article, the author postulates what might have happened had a force of MV-22s been substituted for the actual medium-lift helicopter mix of CH-46Es and CH-53Ds that actually did serve in the Gulf.)

The success of the 5-month Desert Shield deployment and the 100-hour Desert Storm campaign will result in analysis and assessment of all aspects of both for years to come. Force structure and weapons systems effectiveness will be examined in great detail for lessons learned. While such studies will be invaluable to improve existing force composition, Desert Storm will also provide an excellent opportunity to compare developmental systems with the demonstrated capabilities of currently fielded systems. The superb execution of both operations allow them to serve as excellent benchmarks to measure the effectiveness of future programs.

DEPLOYMENT

Deployment of a large force is a complicated and difficult operation at best. Desert Shield required the largest deployment of U.S. forces since the Vietnam War and, to ensure a reasonable probability of success, demanded that the major elements of the force be in place and operationally ready as quickly as possible. The major pacing factors in the deployment phase were the distances to be flown and the number of C-5 and C-141 strategic airlift sorties available. The demands for space on these critical sorties that current medium-lift helicopters required were of major proportion. Although helicopters were high priority items for early arrival in the objective area, they competed with other high priority forces for critical lift assets. Had the MV-22 been available to the Desert Storm force, it would have provided a self-deployment capability that would have significantly expedited flow of other forces by airlift.

For purposes of comparison, 60 MV-22 aircraft could be substituted for the 80 Marine Corps CH-46E and CH-53D medium-lift helicopters actually airlifted in Desert Shield. Although fewer in number, the increased capabilities of the MV-22 over the CH-46 would have provided approximately the same lift capability. To ensure time-distance equality in the comparison, MV-22 aircraft are assumed to have originated from the same stations as did the actually deployed helicopters. Twenty-four MV-22s were originated from Marine Corps Air Station (MCAS) El Toro, CA, and 20 from MCAS Kaneohe Bay, HI, for a total of 44 self-deploying aircraft. The remaining 16 New River-based MV-22s were assumed to be sealifted on amphibious ships.

To enable self-deployment, the Osprey, with four internal fuel tanks installed, has a flight ferry (no payload) range of 2,100 nautical miles with a 10 percent fuel reserve. Although not required for Desert Shield deployment (see Figures 1 and 2), it is also equipped for in-flight refueling.

FIGURE 1.—Kaneohe Bay Deployment

Day, depart, and refuel	Arrive	Distance	Flight time	Days
1st, Kaneohe	Alameda	1,207.5	8.3	1
2d, Alameda, Tinker	Cherry Point	1,221.1	8.8	1
3d, (Crew Rest Cherry Point)		0	0	1
4th, Cherry Point, Bermuda	Lajes	1,248.9	9.7	1
5th, Lajes	Sigonella	1,196.9	7.4	1
6th, (Crew rest Sigonella)		0	0	1
7th, Sigonella	Saudia Arabia	1,180.6	6.8	1
Total			41.0	7

¹ Nautical miles.

FIGURE 2.—El Toro Deployment

Day, depart, and refuel	Arrive	Distance	Flight time	Days
1st, El Toro, Tinker	Cherry Point	1,201.2	8.1	1
2d, Cherry Point, Bermuda	Lajes	1,248.9	9.7	1
3d (Air crew rest Lajes)		0	0	1
4th, Lajes	Sigonella	1,196.9	7.4	1
5th, Sigonella	Saudia Arabia	1,180.6	6.8	1
Total			32.0	5

¹ Nautical miles.

Organic KC-130s routinely accompany self-deploying aircraft by transporting maintenance crews, spare parts, and other equipment associated with the ferry flight and are also capable of providing emergency air-to-air refueling for the MV-22 if required. The routes shown would have resulted in all aircraft arriving in Saudi Arabia within seven days of departure from their home bases with crews rested and ready for assigned operations. Comparison with the equivalent force moved via strategic airlift can be seen in Figure 3. Note that a savings of 14 days results from self-deployment.

FIGURE 3.—Marine Deployment Summary

	24 CH-46E/20 CH-53D	44 MV-22	Delta
C-5 loads	18	0	-18
Aerial tankers	0	0	0
Support aircraft	0	5	+5
Cost to move ¹	5.5	3.2	-2.3
Time to load in days	10	0	-10
Transit time in days	1	7	+6
Time to unload/re-assemble/flight check (days)	10	0	-10
Day until combat ready in Saudi Arabia	21	7	-14

¹ In millions of dollars.

The time to load factor in figure 3 is the hours required to load a C-5 with CH-46Es or CH-53Ds. Trained personnel, special tooling, ground-handling equipment, and ramp space availability were all pacing factors. The comparison uses minimum instead of actual Desert Shield deployment times. During Desert Shield, the actual lift by 10 C-5 equivalents of 12 CH-46Es and 12 CH-53Ds from El Toro took 41 days from first airlift launch to last airlift landed in Saudi Arabia. It should be noted, however, if there were unlimited trained personnel, special tools, ground-handling equipment, ramp space, and strategic lift available, the El Toro lift would have used only 25.5 hours from start to finish. Load planning factors are as indicated in Figure 4.

FIGURE 4.—LOADS, LOADING, AND MAINTENANCE PROFILE

	CH-46E	CH-53D	UH-60	AH-1W	AH-64	MV-22
C-5 capacity	3	2	6	8	6	0
C-141 capacity	0	0	2	2	2	0
Load time (hours) ¹	5.0	5.0	2.0	8.0	6.0	0
C-5 unload time (hours)	2.0	3.5	2.0	.5	4.0	0
Assembly time/flight check maintenance (hours) ¹	16.0	15.0	3.0	.5	.5	0
Internal tank removal and check (hours)	0	0	0	0	0	4.0

¹ Crew of six to eight skilled maintenance personnel required. Only three to five aircraft can be disassembled or assembled at a time because of limited availability of special tools, ground handling equipment and trained personnel.

² Times shown are per C-5 or C-141 load.

Using the above example of self-deployment, the advantages to I MEF of an MV-22-equipped force for Desert Shield would have been:

Combat ready in Saudi Arabia 14 days sooner than the CH-46/CH-53D fleet.

18 C-5 load equivalents freed to lift other forces.

Deployment directly to dispersed operational sites, avoiding airport congestion.

Aircraft and flight crews prepared to undertake the full range of medium-lift missions on day of arrival.

ARMY DEPLOYMENT

A brief examination of the U.S. Army deployment indicates similar lift saving advantages if some portion of the UH-60 force deployed were replaced with the MV-22. The actual airlifted U.S. Army helicopter deployment of 105 UH-60s indicated utilization of 18 C-5 equivalents. The flow time for the air movement was 39 days for the 101st Air Assault Division Fort Campbell, KY, (90 aircraft) from first takeoff to last landing in Saudi Arabia.

DESERT STORM EMPLOYMENT

Performance and employment advantages of the MV-22 are examined in several missions areas—amphibious operations, tactical recovery of aircraft and personnel (TRAP), special operations capability (SOC), and other related operations. A general comparison of performance characteristics of the CH-46E and MV-22 is contained in Figure 5. These figures are utilized in the following employment scenarios:

FIGURE 5.—CH-46E VS. MV-22 COMPARATIVE PERFORMANCE DATA

General performance factors	CH-46E	MV-22
Cruising speed (KTS)	125	250
Combat radius (NM)	70	1,400*
Payload (pounds)	4,400	10,000
Troop lift (USMC)	16-18	24
HHMMV list (external)	0	1
Maintainability (MMHVFH)	22	11
Combat survivability (ratio)	1	3

* National combat radius and other figures based on Burdeshaw Associates Ltd. study, How Well Would the V-22 Tiltrotor Meet Tomorrow's Needs: An Analysis of the V-22's Potential in Saudi Arabia, 15 February 1991.

AMPHIBIOUS OPERATIONS

Although it was ultimately unneeded during Desert Storm, an amphibious task force (AFT) was prepared to conduct amphibious operations if directed. The Gulf coastline of Iraqi-occupied Kuwait presented an opportunity to facilitate the general offensive by outflanking the Iraqi fortified line facing U.S. forces in Saudi Arabia, cutting major lines of communication, and establishing a lodgement for follow-on introduction of coalition forces. In recognition of our amphibious capability, Iraqi deployed 60-80,000 personnel along Kuwait's coastal region with the primary mission of establishing a defense in depth against a possible landing. Additionally, the beaches were mined extensively.

Within this scenario, the advantages offered by an MV-22/CH-53E force compared against an equal-lift CH-46 CH-53D force in a vertical amphibious assault are examined. The speed, load, and range capabilities of the MV-22 combine to provide an overwhelming advantage. For example in order to land Marine expeditionary forces MEF assault elements within 90 minutes (considered minimum acceptable time) in a landing zone 20 nautical miles inland, a CH-46E/CH-53E force would have to launch from a point no farther than 25 nautical miles offshore. Given the same scenario, an MV-22/CH-53E force could launch at 75 nautical miles offshore, fly 20 nautical miles inland, and still make the 90-minute time requirement. The map in Figure 6 depicts just how dramatic this range capability is in relation to the Persian Gulf and illustrates several salient points:

[Figures 6-8 not reproducible in the Record.]

The upper Persian Gulf is a relatively small and very shallow body of water, stud-

ded with oil rig platforms, which effectively compress ATF maneuver room. With the exception of a deep water ship channel leading into Kuwait harbor, the Gulf contains unacceptably shallow water, filled with antiship mines extending from about 10 nautical miles to 30 nautical miles offshore. Because of water depth limitations, the only possible launch point available to the CH-46 force at 25 nautical miles is in the middle of the channel leading to Kuwait port facilities. This would almost completely eliminate maneuver room and would place portions of the task force about 12 nautical miles offshore and within range of long-range artillery fire.

The map demonstrates the advantage inherent in the MV-22 force's capability of launching at 75 nautical miles. The ATF would clearly be beyond line of sight from the Iraqi coastline and in water deep enough to maneuver with reasonable safety. If the ATF were to move in to a 50 nautical miles launch point as shown in Figure 7, it would still be comfortably within the distance needed for an over-the-horizon operation and yet maintain maneuver room.

In summary, the MV-22's greater speed, range, and lift capacity would have opened up most of Kuwait and southern Iraq to the vertical envelopment arm of amphibious exploitation without appreciably hazarding the fleet. These increased capabilities would seriously have complicated Iraq's defensive arrangements. Instead of concentrating only on a coastal band about 20 miles wide, the Iraqis would, of necessity, have had to face the prospect of contending with landings practically the length and breadth of Kuwait and the southern portion of their own homeland as well. In fairness, it must be said that the CH-46 force could have reached into Kuwait and undoubtedly was prepared to do so, but, as the map shows, only about half as far as the MV-22 could have and at considerably greater risk to the ATF.

THE TRAP MISSION

Unfortunately the air-to-ground phase of Desert Storm provided several opportunities to exercise the TRAP mission to recover downed airmen. Many efforts were successful; some, however, were not. At least some of these unsuccessful rescue attempts, and some that were not attempted, were due to the large distance between the downed aircrew and friendly lines. Figure 8 below shows the vastness of the Desert Storm area and the disposition of potential targets.

Given the assets that were available the probability of successful search and rescue within the majority of the area was severely limited. During recent testimony to the Senate Armed Services Committee, Army Gen. Carl Stiner stated, "Special Operations forces assigned to rescue American aircrews shot down inside Iraq quickly came face-to-face with the limitations of their helicopters."

Compared to the current force of CH-46/CH-53s, the MV-22 would have provided a significantly greater probability of rescuing and returning downed aircrew with the least possible risk to aircraft as a result of its inherent range, speed, and survivability capabilities. The increased range advantage almost doubles the area of coverage to include all of Iraq. The MV-22 range capability is such that after picking up the downed aircrew, it could continue unrefueled into Turkey, further enhancing survivability. When the increased speed of the aircraft, 275 knots, is added to the increased range, the advantage of the MV-22s becomes overwhelming.

Additionally, considering the emphasis during Desert Storm on night tactical air op-

erations, the probability of a single sortie being shot down at night would be lessened as a result of the cover of darkness. However, the frequency of night downings would probably have increased simply because of the massive number of night sorties that could have been flown. Thus, the night, adverse weather capability of the MV-22 would have significantly enhanced the aircraft's ability to effect successful rescues at night, thereby further enhancing survivability of the mission.

THE SPECIAL OPERATIONS CAPABLE (SOC) MISSION

The MV-22 is ideally suited to the special operations mission. Its speed, range, and maneuverability allow a commander to attempt missions with reasonable certainty of success that he would otherwise reject out of hand. When Iraq is examined with respect to distances, terrain, and the threat one is likely to encounter, it is evident that SOC missions previously regarded as "not possible," become quite practical. On SOC missions, such as hostage rescue, special reconnaissance, airfield seizure, and direct action missions against such targets as SCUD sites, increased capability means increased odds for success. In many cases, helicopters simply could not meet the vital requirements for range, speed, survivability, hover power, and transit altitude. Additionally, SOC forces prefer to execute missions under cover of darkness because of the clandestine nature of most of their operations.

Therefore, it becomes very important to mission success to have vertical lift capability that has sufficient speed to infiltrate, accomplish the objective, and exfiltrate in a relative short period. This allows the entire mission to be conducted with surprise and stealth under cover of darkness. For instance, to operate against some key targets north of Baghdad would require helicopter-borne forces over six hours of transit time from northern Saudi Arabia to north of Baghdad and return again. The MV-22 could perform the same mission in half the time (see Figure 9).

FIGURE 9.—SOF MISSION PERFORMANCE COMPARISON

	CH-53	CV-22
Unrefueled radius	325	520 ¹ (covers 9/40 of Iraq).
Speed	125	250 (permits total mission at night).
Time	7.08	3.54
Hover out of ground effect	No	Yes.
(HOG)?		
Survivability:		Advantage.
Small arms		Do.
Missile		Yes.
Night/all weather/terrain following	Limited	
Maximum altitude (transit)	10,000 feet	25,000 feet.

¹ Based on CV-22's fuel configurations which is specifically tailored to special operations missions.

² Based on 855 nautical miles hover at midpoint, exfiltrating one special forces team with equipment (12 personnel 4,000 pounds), with midpoint hover conditions, 4,000 feet. +40C.

As an example, if the 855 nautical miles mission depicted in Figure 9 were done by a CH-53 helicopter, it would require some flying during daylight and a forward area refueling point/or numerous air refuelings, to complete the mission—all additional risk factors that raise the odds against a successful operation. The MV-22, on the other hand, would require only two nighttime refuelings over friendly Saudi territory and under the cover of darkness to complete the same mission.

THE MEDEVAC ROLE

The time elapsed between injury and arrival at appropriate medical facilities has been proven to be directly linked to the mortality

rate. The speed advantage of the MV-22 alone is significant enough to save lives. During Desert Storm, if allied forces had experienced the extensive casualty rate predicted by some, medical facilities in northern Saudi Arabia would have quickly fielded to capacity. The range advantage of the MV-22 would have permitted evacuation from front-line aid stations directly to medical facilities in central Saudi Arabia or hospital ships in the region.

CHEMICAL AND BIOLOGICAL SURVEY OPERATIONS

Had Iraq utilized chemical and biological weapons as it had threatened to do, a fast, responsive, accurate chemical and biological survey to determine areas contaminated and the degree of contamination would have been of utmost importance. Currently, such surveys are done by both air and ground vehicles. Both not only require special monitoring equipment, but also that the individuals and equipment conducting the surveys be protected individually, since current helicopters are not sealed against agent penetration. The aircraft itself will become contaminated inside and out and will be a hazard until decontaminated—a difficult and dangerous task. The MV-22, however, has built-in chemical and biological protection systems, which could have accomplished these surveys faster and with considerably more safety than other helicopters. More important, the MV-22 would receive only surface contamination, which is easily and safely removed. The aircraft's interior, all its critical components, the crew and its passengers are all located inside the aircraft, which is sealed against nuclear, biological, and chemical (NBC) agent penetration.

HIGH-SPEED RESUPPLY

During Desert Storm, planned use of high-tech components, weapons, and ammunition would have provided coalition forces a significant advantage if major resistance had materialized. Not only would such items likely have been consumed rapidly and in large quantities, but the distances over which resupply would have had to have been transported were vast and availability of high-grade surface transportation systems scarce. Large quantities of missiles, fire control, night vision, and other high-tech equipment would have been used on a daily basis. Since all these items were in short supply and relatively fragile, normal truck transportation systems would have proven inadequate or unable to meet time requirements. The ability of the MV-22 to fly long distances at high speed and then land vertically in close proximity front-line units would have made it the ideal aircraft for the rapid resupply mission.

INSERTION OF A BLOCKING FORCE

The reduced sound footprint that the MV-22 brings to the battlefield offers the maneuver warfare commander opportunities that are not currently in existence with any other transport platform in the present force. The resultant advantages offer the potential of expanding the battlefield, gaining decisive surprise, and maintaining momentum beyond the enemy's ability to cope. The capabilities of the MV-22 in this regard limit the opportunities for maneuver warfare only to the imagination of the commander.

If the MV-22 had been available for the CH-46E/CH-53D, and UH-60 missions in Desert Shield/Storm, it would have enormously improved deployment flexibility, reduced deployment costs, and significantly reduced the time for Marine and Army aviation units to become combat-ready once in-country. During Desert Shield/Storm, in every oper-

ational employment scenario considered, the MV-22, in concert with other helicopter and fixed wing assets, would have provided a quantum increase in balanced force effectiveness. The war-fighting advantages of the MV-22, with its significant increases in range, speed, and survivability, would have been a significant force multiplier. It would have added a whole new dimension to existing SOC capabilities and could have rescued downed aircrew twice as fast, with a higher probability of success, than any existing aircraft. Overall, the margin of superiority that the MV-22 could have provided in force maneuverability and support is something commanders through the ages have attempted to achieve. The bottom line is simple: The MV-22 Osprey will reduce risk, expand the battlefield, and save lives.

FATHER STRANO CELEBRATES ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. PALLONE. Mr. Speaker, on Sunday, September 21, Father Edward Strano, the pastor of St. Clements Roman Catholic Church in Matawan, NJ, will celebrate the 35th anniversary of his ordination to the priesthood. I would like to take this opportunity to add my sincere congratulations to this dedicated clergyman on this great milestone in his life.

Father Strano has been the pastor of St. Clements for the past 5 years. Prior to that, he was the pastor at St. Ann's Roman Catholic Church in Keansburg, NJ. His first pastorate was at St. John Vianney, Colonia, NJ.

In addition to his work with the people and communities that entail the parish of St. Clements, Father Strano also serves as vicar of education for the Diocese of Trenton.

Father Edward Strano, throughout his long and distinguished career, has exemplified the finest qualities of the calling to the priesthood—faithful dedication to church teaching, an effective ability to run the day-to-day affairs of his parish and an abiding compassion and concern for the members of the community.

RETIRE THE EARNINGS LIMIT

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. ROHRBACHER. Mr. Speaker, last month, I had the opportunity to hold a series of town hall meetings throughout my congressional district. Perhaps the most often mentioned concern of my elderly constituents was the unfair, punitive, and discriminatory Social Security earnings limit. I heard testimony after testimony concerning the pain this Depression era law is inflicting on citizens between the age of 65 and 70.

Mr. Vincenzo "Nino" Cristiano was one of those hurt by the earnings limit. He spoke out forcefully against the law and gave me a letter protesting the limit.

Nino is an example of America at its best. He immigrated from Italy in the 1950's and

opened up an Italian restaurant in Long Beach. He has worked hard his whole life and deserves more respect than he has received from the Social Security Administration.

Seniors that work are being taxed at a rate higher than that of Donald Trump. I support the Freedom To Work Act which would allow elderly Americans to keep the fruits of their labor. It is my hope that this measure is finally acted upon so seniors can have the same rights as any other American.

LONG BEACH, CA

September 1, 1991.

This letter is in regards to the rude treatment of Social Security office workers in Long Beach. I am a senior citizen and an American citizen. I have worked all my life and have been an outstanding citizen, contributing to my community and humanity in general. Please allow me to explain my situation to you. I was called to the Social Security office located at 120 West Broadway in Long Beach. I was asked to bring my 1988 and 1989 income tax returns. The day that I went to the office with my wife, will be remembered as one of the most humiliating experiences of my life. When we tried to say hello to the lady, she yelled and screamed at us and made false accusations to me and my wife. She also demanded my 1990 tax returns and insisted that they were asked for in the letter, which they were not. I am the owner of Nino's Ristorante Italiano. I am presently retired. I go in on a regular basis to visit with family, friends, and old time clients. This woman accused me of working 7 days a week and in full-time employment. She said she had someone follow me. I am 67 years old and do not need to be followed as a criminal. In addition, I am old, but not dead. This woman yelled and screamed at me like I was dirt. My family has taken over the business for me, but it is still a place I enjoy going to visit. I have spent over half my lifetime at Nino's, why would I stop now? This letter is not only to explain myself, but to bring to someone's attention the rudeness old people are getting from the office workers at the Social Security office. They were rude to everyone. They showed no respect. They did not say hello to anyone, they treated us like we were already dead and did not matter. I hope that you or someone will go to an office and see for your own eyes how horrible the experience is. We are Americans and our rights should be reserved even as we grow old. The people who work in these offices are civil workers, and should be working for the people. It is a very sad experience to grow old in America, but it does not have to be, I think we still have a chance in changing it for a better future.

Thank you

VINCENZO CRISTIANO.

CAPE COD LITHUANIANS REJOICE AT LITHUANIAN INDEPENDENCE

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. STUDDS. Mr. Speaker, the members of the Cape Cod Chapter of the Lithuanian-American Community have worked hard in recent years to press for United States support for Lithuania's courageous, peaceful drive for independence from the Soviet Union. At long last, they are witnessing the realization of their

dream as Lithuania is once again free. I share in their delight and am pleased to submit for the RECORD their resolution of September 3, 1991.

We, Lithuanian-Americans of Cape Cod, MA, at a meeting held on September 3, 1991, in Hyannis to celebrate the restoration of Lithuania's independence, send our warmest greetings to the people of Lithuania and pledge our full support to the freely elected democratic government in Vilnius headed by Vytautas Landsbergis, and unanimously adopt the following:

RESOLUTIONS

Whereas, on September 2, 1991, President George Bush restored complete United States of America's diplomatic recognition to the Independent Republic of Lithuania, we thank him for his efforts.

Whereas, we thank Congressman Gerry Studds and other members of Congress and the Senators that supported Lithuania's drive for independence.

Whereas, Lithuania has immediate and long-term needs of economic and technical aid for their rebuilding of an independent nation. Therefore, we ask President Bush, members of Congress and the Senate for their continued support of Lithuania in the coming months and years.

Be It Resolved, That we, as Lithuanian-Americans support the people of Lithuania and their freely elected democratic government in Vilnius.

We thank President Bush, the Congress and the Senate for their efforts in Lithuania's drive for independence and for their continued support.

We ask that President Gorbachev remove the Soviet Army and KGB from Lithuania.

Alfonas Petrutis, President; Bronius Markeliunas, Secretary; Regina Petrutis, Member Exec. Comm.; Edward Shakalis, Member Exec. Comm.; John Pautienis, Member Exec. Comm.

TIDINGS OF COMFORT AND SOY AT PEORIA AG LAB

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. MICHEL. Mr. Speaker, it is an honor for me to be able to announce that one of the government's four outstanding senior research scientists in the Nation hails from my hometown of Peoria, IL. Timothy Mounts, who has worked at the National Center for Agricultural Utilization for 34 years, recently received this distinction as a result of his research in the processing and usage of soybean oils. In fact, according to the director of the Ag Lab, Richard Dunkle:

If you go to the supermarket, you'll see literally hundreds of products that have soy oil and soy protein in them as a result of the work Tim has done here.

As his Congressman and a fellow consumer, I extend my congratulations to Timothy Mounts on a job well done.

At this point in the RECORD I wish to insert an article which appeared in the Peoria Journal Star, "Ag Lab Veteran Cited for Work."

AG LAB VETERAN CITED FOR WORK

(By Douglas Fruehling)

Timothy Mounts, a 34-year veteran of the National Center for Agricultural Utilization

Research, has been named one of the government's four outstanding senior research scientists in the nation.

Mounts, the lab's research leader in food quality and safety research, was honored for his work in processing and using vegetable oils, particularly soybean oil.

He was responsible for research that led to packaging unhydrogenated liquid soybean oil in plastic bottles.

"He has solved many problems over his time here at the center in the soybean industry," said center Director Richard Dunkle.

"If you go to the supermarket, you'll see literally hundreds of products that have soy oil and soy protein in them as a result of the work Tim has done here."

Mount was one of eight scientists—one from each of the Agricultural Research Service regions—nominated for the awards. Of the eight, three were named outstanding scientists and one was named a distinguished scientist.

Mount said the award is good recognition for ongoing research at the center.

The research is a joint effort, he said: "There are many associates who helped."

K.D. Murrell, Midwest area director of the Agricultural Research Service, said Mounts was nominated because of the impact his research has had and for the "high regard" in which he is held in the industry.

Mounts will receive a plaque and a monetary award at a January ceremony in Washington.

RECOGNIZING LA CLINICA DE LA RAZA FOR ITS TWENTY YEARS OF SERVICE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. STARK. Mr. Speaker, today, I would like to congratulate La Clinica de la Raza for its 20 years of service to the diverse ethnic communities of Alameda County. As we are all aware, millions of Americans do not receive adequate health care, particularly, those living in communities of color. La Clinica, however, has served as the safety net to those individuals of Alameda County.

In 1971, four individuals—Joel Garcia, David Hayes-Bautista, Alex Velasquez, and Juan Cochran—saw the need and set out to improve the quality of life and health of Alameda County's medically underserved. From its first few days, La Clinica began expanding at a rate no one could have imagined: In 2 years the clinic received its first public grant from the county; in 1975, La Clinica's budget reached \$1 million; the following year, it opened its first satellite clinic—the San Antonio Neighborhood Health Center—and in 1987, its second site—Clinica Alta Vista. Now, in 1991, it employs approximately 200 people, operates out of 12 buildings, receives funding from over 40 sources, and has an annual budget of over \$7 million.

As I mentioned, La Clinica serves a primarily low income, minority population. Of the 73,000 client visits last year, 98 percent were people of color and 85 percent were near or at the poverty level. Of the 11,000 clients, 62 percent are women and children, and this is largely because of their ability to operate ex-

ceptional perinatal and pediatric care programs.

As far as the future of La Clinica de la Raza, they face the increasing challenge of providing quality health care for their patients. Their strategic plan calls for the development of a new facility to be built within the next 3 to 5 years. The new facility is seen not only as a response to their current space and operational needs, but also as a way to expand their capacity in the future.

Mr. Speaker, I rise today not only to recognize La Clinica's achievements of the last 20 years, or its ability to progressively plan for the future, but for its dedication and continuous commitment to providing quality health services to all, regardless of their ability to pay.

MFN STATUS FOR THE BALTIC STATES

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. HOYER. Mr. Speaker, today, I, along with many of my colleagues, am introducing a bill that would accord most-favored-nation status to the Baltic States. I have just returned from chairing a Helsinki Commission delegation trip whose itinerary testifies to the remarkable changes that have recently taken place in the international arena. From Vienna, where negotiators are elaborating a new system of security guarantees in Europe to reflect the end of the cold war, we went to the Baltic States—the last remaining victims of World War II and the cold war that followed it. Ours was the first congressional delegation to visit the Baltic States after the restoration of their independence, and the recognition of their return to independent statehood by the United States. It was our privilege and pleasure to share the long-awaited and prayed-for moment of triumph with the people of Latvia, Estonia and Lithuania.

Our delegation met with Presidents Anatoly Gorbunovs in Latvia, Arnold Ruutel in Estonia, and Vytautas Landsbergis in Lithuania. We also met with Latvian Prime Minister Ivars Godmanis, and with senior government and parliamentary officials in all three Baltic States.

The members of our delegation shared with these Baltic leaders a profound sense of relief as well as joy: In February of this year, not long after assaults by Soviet "black beret" forces on Lithuanians and Latvians, a Helsinki Commission delegation visited Latvia, Lithuania and Estonia. At the time, prospects for Baltic independence seemed bleak indeed, and our purpose was to convey to the Baltic people our commitment to their cause, despite America's preoccupation with the war in the Persian Gulf.

Since then, the failure of the coup plotters this August in Moscow had made possible a mind-boggling acceleration of historic processes: Latvia and Estonia declared formally their independence from the U.S.S.R. following Lithuania, which had done so in March 1990. It was a hair-raising time, especially before it became clear that the coup attempt would fail. The members of our delegation

were deeply moved to hear Latvian Prime Minister Godmanis describe how he sat in his office, waiting for Soviet forces or their Latvian allies to break in to arrest him—or worse.

The victory of democratic forces in Moscow, and Boris Yeltsin's support for the right of the Baltic peoples to choose their own path, sealed the issue, and ensured the historic return of the Baltic States to the community of free countries. Our Delegation had the honor to attend the opening of the CSCE conference on the human dimension in Moscow—the first CSCE meeting at which representatives of the Baltic States sat at the table as full and equal participants in the Helsinki process.

But Mr. Speaker, while we are delighted to welcome Latvia, Lithuania, and Estonia back to their rightful place in the world, we should all recognize that a difficult transition period awaits them. The Baltic states face colossal problems as a result of five decades of Sovietization: Environmental disasters, unbalanced and backward economic structures, the need to address social and economic upheavals that fundamental economic reform will entail, as well as a mentality among segments of the population that views profit, capitalism, and the market with distrust. And Latvia, Lithuania, and Estonia face also the poignant need to create and fund institutions that a newly independent state requires, such as a foreign service.

Considering how expensive all this will be, it was enlightening and comforting to hear the leaders of the Baltic States ask our delegation not for grants of aid, but for the benefit of our expertise in establishing market principles and structures. What they seek for their people is not charity, but the chance to stand on their own feet. They want to build healthy economies that can export their products and compete in international markets. They want to create favorable conditions for American investors, and they are working on the necessary laws to establish the legal underpinnings for secure economic ties with all countries. The leaders of the Baltic States asked our delegation to send them expert advice on establishing and strengthening such structures. They also asked us to inform American business about investment opportunities in their countries.

I am introducing today a bill on most-favored-nation (MFN) status for the Baltic States. As you know, the United States gave them such status in the 1920's, but suspended it after their forcible incorporation in the U.S.S.R. by Josef Stalin. Granting them MFN would ease their way into the world economy; it would be only a first step, or course, but a vital one.

It is critical that the people of the Baltic States see the benefits of fundamental economic reforms; to realize the fruits of their labors, and to feel the value of sacrifice. Their work ethic has survived even 50 years of Soviet communism—it is our job now to show them that they are not alone as they use all their human and material resources in what will certainly be a long struggle to adapt to a much more competitive international economy than the one they left in 1940.

Mr. Speaker, on behalf of our delegation I presented to all three Baltic Presidents a special watch, minted by the Franklin Mint, with

an American eagle emblazoned on it. I told them that the eagle—the symbol of our country—flies high and free. They, too, finally have the chance to do so again. And as our long-standing partnership with the Baltic States enters a new phase, noting could be more fitting or beneficial than immediately granting most-favored-nation status to the most jubilant nations on Earth.

SOCIAL SECURITY CARE PROVIDER ACT OF 1991

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Ms. OAKAR. Mr. Speaker, when Social Security was first created almost 60 years ago, men were in charge of making the money, and women were entrusted with caring for the children, grandparents, and sick relatives. Today, almost 70 percent of women are part of the American work force.

Women in the 1990's are not only responsible for the bread and butter on the table, but for the bread and butter in the bank as well. However, many working women are forced with the tough choice of leaving the work force to remain at home caring for young children, or ailing parents. Unfortunately, our Social Security System does not recognize these caregiving years. Rather, it penalizes them by averaging a zero into the benefit computation, thereby reducing the monthly payment these women receive. A typical woman, who leaves a paying job to care for her children for 12 years, will receive \$80 less a month in Social Security benefits. And the "zero years" inequity is worsened by the fact that the wages upon which Social Security is based are generally lower for women than for men. The average American woman spends 11½ years out of the work force caring for children and elderly parents. Men spend an average of 1.3 years.

Mr. Speaker the legislation I am introducing today would help to greatly alleviate this problem. The Social Security Care Provider Act of 1991 would allow an individual up to 10 years of disregarded elapsed time in their base computation years for the purposes of determining the monthly benefit. For the purpose of this legislation those years are to be spent providing care to a child, or chronically dependent child, spouse, or parent.

This legislation is important to women with small children, but I feel it is even more important to that vast number of women providing elderly care. Seven million Americans are unpaid caregivers of the elderly, of these, 72 percent are women aged 45 or older. Unfortunately, once these women reach retirement age themselves, 75 percent of them will live in poverty, by the year 2020. Nearly all of the elderly living in poverty will be women; women who depend on Social Security benefits as their prime source of income.

How can we as a society ask our mothers and daughters to remain home as caretakers, and then penalize them for the love and care they provide? Our Social Security System is stuck in the 1930's. No longer can we afford

to penalize those who leave the work force to act as caregivers to their loved ones. No longer should we support a system that counts this as a year of "zero earnings." Instead, we must acknowledge those years as necessary and remove them from the computation years. The Social Security Care Provider Act of 1991, is legislation for the family, legislation for the elderly, legislation for the poor, and legislation for the 1990's and beyond. I ask my colleagues to have the foresight to do what is right for the family caregiver and support this legislation.

TRIBUTE TO JEWELL SUMNER HIGH SCHOOL OF LOUISIANA

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. BAKER. Mr. Speaker, I rise today to offer my congratulations to Jewell Sumner High School for winning the America Set a Good Example Contest for the second year in a row.

Jewell Sumner High School's campus Just Say No Club is the perfect vehicle through which to channel drug-free activities of the school because 92 percent of the students are members. Participation is voluntary, and at least once a month, Sumner students are involved in some worthwhile drug-free activity.

Some of the projects that Sumner students have been involved in through the years include: smoke-out campaigns; Louisiana Youth Takes a Stand; Tangipahoa Parish Drug Conferences; State of Louisiana Drug Rallies; Red Ribbon Campaigns; local parades; helping other schools organize Just Say No clubs; MADD campaign participation and taping of a TV commercial with an antidrug message.

Sumner High School has also been recognized as a State and National winner in the Drug-Free Schools competition sponsored by the U.S. Department of Education.

Set a Good Example is an annual contest sponsored by the Concerned Businessmen's Association of America that recognizes and awards student-designed programs to educate themselves and their peers on the evils of drug abuse. The contest is designed to encourage student involvement in urging students to say "no" to drugs.

THE RETIREMENT OF GEN. HARRY E. SOYSTER

HON. DAVE MCCURDY

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. MCCURDY. Mr. Speaker, I want to advise my colleagues of the impending retirement of the Director of the Defense Intelligence Agency, Lt. Gen. Harry E. Soyster. General Soyster will soon leave the Army after more than 34 years of exemplary service.

As Director of the Defense Intelligence Agency [DIA] since December 19, 1988, General Soyster has exhibited a quality of leader-

ship that has enhanced the Agency's reputation as the Nation's preeminent military intelligence organization. Nowhere was his understanding of the reality that intelligence, to be useful, must be both timely and reliable, more evident than during Operations Desert Shield and Desert Storm. As a part of the response of United States forces to the invasion of Kuwait, General Soyster took the unprecedented step of establishing a national level Joint Intelligence Center to expedite the flow of intelligence information both to national decisionmakers and to the forces deployed in theater. The success of the Center has led to calls, from both within the Department of Defense and without, to institutionalize this concept. This example is illustrative of the foresight General Soyster has brought to his work, and demonstrates that his influence over the mechanisms for collecting, producing, and disseminating military intelligence has been far-reaching and significant.

In his tenure as head of DIA, General Soyster has devoted himself to improving the quality of the intelligence product available to the Joint Chiefs of Staff, the Secretary of Defense, the operational commanders of the unified and specified command system, the Congress, and other national decisionmakers. In this regard, he has directed a reorganization of DIA to further enhance the Agency's efficiency. These efforts will be both a lasting contribution, and a lesson to other intelligence agencies that organizational changes can be made in ways which reduce duplication of effort without sacrificing the quality of the intelligence product. As budget constraints become more widely felt, restructuring will be necessary throughout the intelligence community, and General Soyster performed a valuable service in taking the lead in this area.

I want to especially note and commend the cooperative approach General Soyster adopted in his dealings with the Intelligence Committee, and other key committees of the House. Cognizant of the Intelligence Committee's important oversight responsibilities, he responded promptly and fully to all requests for information or testimony. The members of the committee found him to be candid and forthcoming, and we appreciated the dedication with which he discharged his duties.

Mr. Speaker, I want to applaud General Soyster for his distinguished career of service to the U.S. Army and the Defense Intelligence Agency. His commitment to excellence in defense of the Nation has well served the people of the United States. I want to wish him a fulfilling retirement, and continued success in his future endeavors.

TRIBUTE TO LEISURE MANOR I

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. BONIOR. Mr. Speaker, today, September 12, 1991, marks a proud and important day for those of us who share a deep concern for the welfare of senior citizens in and around the Metro Detroit area. On this occasion, the city of St. Clair Shores celebrates the 20th an-

niversary of the opening of its premier senior residence center—the Leisure Manor I.

Leisure Manor I is the result of this tight-knit community's vision, compassion, and dedication to its senior citizens.

The city of St. Clair Shores boldly stepped forward and opened Leisure Manor in 1971 responding to the changing nature of work and the large numbers of seniors who arrived at retirement with hopes and dreams yet to be fulfilled.

For local officials, it was a widely admired model of what local government can do for its citizens. For families and loved ones, it has provided financial and emotional relief from the worry of long-term care for parents and grandparents. And for seniors, it has promised and continues to promise many things—friendship, safety, recreation, health. But above all, Mr. Speaker, Leisure Manor promised its residents simple dignity. It allowed them to live full and independent lives on their own terms.

Over the past 20 years, Leisure Manor I has expanded and modernized its services and facilities. Residents enjoy spacious living arrangements, regular recreational activities, and a staff that is sensitive and responsive to the special needs of seniors.

I have been to Leisure Manor several times and have seen its many good works in progress. The reciprocal affection and caring among residents, loved ones, friends, and staff can only be summed up in one word—family.

In closing, Mr. Speaker, the dedication and commitment of the St. Clair Shores community to its senior citizens have made Leisure Manor I much more than another bureaucratic solution to the problems of an aging population. Rather, the community has fully embraced its generational responsibilities and provides to its seniors a healthy and vibrant place to live with dignity and independence. It is a promise we must always keep.

On this special occasion, I ask that my colleagues join me in congratulating Leisure Manor I on its 20th anniversary.

GWEN B. GILES POST OFFICE BUILDING

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. CLAY. Mr. Speaker, today I am introducing legislation to designate the Wellston Station facility of the U.S. Postal Service in St. Louis, Missouri, as the Gwen B. Giles Post Office Building.

Mrs. Gwen B. Giles was one of the great public leaders in St. Louis. Her intelligence, independence, and dedication earned her the respect of the entire community.

She was an early and active proponent of civil rights issues and worked tirelessly to help those in need. She was executive secretary of the St. Louis Council of Human Relations, director of the Civil Rights Enforcement Agency and a founder of the West End Community Association.

Mrs. Giles was the first American woman of African descent elected to the Missouri State

Senate and the first female Assessor for the city of St. Louis. She was frequently described as a community bridge-builder, bringing together black and white, and Catholic, Protestant, and Jew. She was a pioneer whose life of public service will serve as a model for generations to come.

Gwen B. Giles was born on May 14, 1932, in Atlanta, Georgia. She moved to St. Louis, Missouri, with her parents when she was three years old. She attended St. Liguori High School and Saint Louis and Washington Universities. She died March 26, 1986.

I feel it appropriate to designate the Wellston Station Postal Facility located at 1409 Hamilton, in her beloved West End, as the Gwen B. Giles Post Office.

A TRIBUTE TO THE AMERICAN RAILWAY BRIDGE AND BUILDING ASSOCIATION ON ITS 100TH ANNIVERSARY

HON. GEORGE E. SANGMEISTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. SANGMEISTER. Mr. Speaker, it is with great pride I rise today to salute the centennial of an organization dedicated to maintaining and improving our national rail system—the American Railway Bridge and Building Association, headquartered in Homewood, IL.

The history of the American Railway Bridge and Building Association closely mirrors the development of American rail travel itself. The association was founded during the golden age of railroading by superintendents, architects and engineers responsible for the design, construction and maintenance of rails, bridges, and buildings.

Since its inception, the association has served as a forum for the exchange of ideas and information among those men and women who help keep our railroads safe and efficient.

More than 2,000 members and guests are expected to celebrate the association's 100th anniversary at its annual national conference September 23–25 in St. Louis, MO.

Mr. Speaker, I would like to extend my best wishes to the members of the American Railway and Bridge Association on a successful centennial conference.

LEGISLATION TO IMPROVE OUR NATION'S ECONOMY

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. COSTELLO. Mr. Speaker, Congress returns to Washington today facing a variety of important issues that are intended to improve this country and its economic standing. It is my hope that in the coming days, this House will approve again the unemployment compensation legislation the President has yet to agree to.

Another essential piece of legislation to improve our Nation's economy has already been

introduced this session, in the form of H.R. 1414. This legislation would reform the passive loss rules as they apply to our Nation's real estate.

Our tax laws discriminate against those in the real estate industry by taxing them on gross, not net, income. In doing so, current law discourages real estate professionals from working out troubled properties; in fact, these rules provide an incentive to turn these properties over to the Government.

We have already heard estimates that the FDIC and the RTC are on the verge of bankruptcy, with taxpayers now facing the prospect of bailing out more banks in the year to come. This legislation would keep many troubled properties in the real estate industry, bringing relief to these drained funds. I urge my colleagues to join me in pushing for this legislation before the end of this session.

TRIBUTE TO EDITH JOLLY

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. PORTER. Mr. Speaker, I rise today to salute Edith Jolly of Arlington Heights, IL, who recently retired after 12 years on the Arlington Heights Village Board.

Edie leaves behind a legacy of dedicated public service. Her tenure on the village board was distinguished by virtues of selflessness, dedication, compassion, and integrity, and stands as a touchstone for anyone who would serve the public interest as an elected official. I am delighted to have her as a valued friend.

Edie Jolly is the kind of person President Bush has in mind when he talks about one of the "thousand points of light." Because of her dedication and concern for the residents of her community, she often worked 60 or 70 hours a week on village business, attending to constituent needs and serving on special committees of the village board. For more than a decade, the residents of Arlington Heights have known that if they had a serious problem, they could count on Edie to help them.

Edie's desire to assist her fellow citizens and her community was not just limited to her service on the Arlington Heights Village Board. Almost to the day Edie and Bob Jolly and their four children moved to Arlington Heights in the 1950's, she became meaningfully involved. One of the first activities at the Jolly household was a coffee for her new neighbors to meet aspiring State candidates.

The first of Edie's many careers was as a teacher at both the junior and senior high school levels, working to inspire the youth of the community. Throughout the 1960's she served on various advisory committees, including one that established William Rainey Harper Community College, now an important source of higher education in the area. Edie's career in education culminated in the presidency of the elementary district 25 school board in 1978-79.

Further evidence of Edie's civic dedication is her work for the American Cancer Society campaigns, the U.S. Census Bureau, and as a social worker aiding needy and troubled youths.

Mr. Speaker, Edie Jolly represents the true spirit of what it means to be a citizen and a public servant in America—that we should always strive to contribute to the community in which we live and work; that we should lead lives of dedication and integrity; and that we should always have a place in our hearts for our neighbors, friends, and families. Please join me in congratulating her for her good works and in wishing Edie and her husband Bob all the best for the years to come.

COMMEMORATING THE "DALLAS LADY" AND HER CREW

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. ROTH. Mr. Speaker, on September 14, 1991, dedication services for the monument to the B-24 liberator bomber the *Dallas Lady* and its crew will be held in France by the French General Council and the American Legion Department of France—Nice. I wish I could be present for the dedication, but I certainly will be there in spirit.

I join others in expressing anew our appreciation for the courageous deeds of the crew of the *Dallas Lady* and particularly the two crew members who were from the 8th District of Wisconsin.

The 11-member crew consisted of Earl A. DesJardins, pilot; Dale W. Marston, copilot; Frank D. Russ, pilot observer; James W. Bryant, navigator; Stanley Gluckman, radio operator; Robert Hermans, bombardier; Louis E. Kess, gunner; Guido Lancia, bombardier/observer; Steven E. Leycik, engineer; Anthony R. Skarl, gunner; and Joseph Boone, gunner.

They flew with the 15th Air Force in the 831st and 885th bomb squadron of the 485th bomb group between June and September 1944.

After numerous successful missions against Nazi targets in Romania, Germany, Austria, and France the brave crew made the ultimate sacrifice on September 12, 1944, when the *Dallas Lady* went down in southeast France.

Representing the Eighth District of Wisconsin, I take particular notice of pilot Earl A. DesJardins and bombardier Robert Hermans, who were both residents of my district.

I, along with the district I represent and the entire Nation, appreciate the dedication of the memorial honoring these brave men on this day, the 47th anniversary of the final flight of the *Dallas Lady*.

Finally, I pay tribute, once more, on behalf of our grateful nation, to those young men who helped purchase with their lives a country dedicated to the principles of liberty, equality, and democratic government.

SOVIETS MUST STOP AID TO CASTRO

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. GUARINI. Mr. Speaker, today I am introducing a resolution to state that the United

States should not provide direct financial assistance to the Soviet Union until the Soviet Union ceases all of its direct economic and military support for the regime of Fidel Castro. Simply stated, we should not be sending American tax dollars to a nation that still sends billions of dollars to prop up Castro's Communist dictatorship in Cuba.

As everyone knows, Fidel Castro has no regard for internationally accepted human rights standards or the promotion of democratic values, and has instigated guerrilla activities in Latin America for years. Mr. Castro allows no freedom of the press, no religious activities, no workers' rights, and no criticism of his regime.

The Cuban people who live under this despot yearn for freedom and endure harsh prison sentences merely for striving for fundamental human rights that people in most nations take for granted. Each year, thousands of Cubans risk their lives crossing by boat or on home-made rafts to Florida to escape this ruthless dictator, while millions more continue their daily drudgery of labor for a failed system.

Fidel Castro maintains a military oriented economy which has detracted from the standard of living of the Cuban people. That military is a viable threat to our national security just 90 miles from our shore. We cannot forget the Cuban Missile Crisis, which awakened Americans to the reality that there are armed nuclear warheads just minutes from our population centers.

We must learn a lesson from history. This same man is far more desperate today than he was in the 1960's. He is cornered, his economy is crumbling, and he is increasingly isolated in a world that has all but abandoned a fatally-flawed Communist ideology.

Mr. Speaker, until recently, Fidel Castro has counted on the Soviet economy for many of Cuba's resources. Indeed, 70 percent of Cuban trade is with the Soviet Union. Cuba also receives almost all of its oil—vital to Cuban industry—from the vast Soviet petroleum reserves.

Moreover, at least \$1 billion in Soviet military aid flows to Cuba annually in addition to the over \$3.5 billion in economic assistance.

Over the past few years, we have watched one Communist government after another being swept aside, giving rise to democracy, freedom, human rights, and economic opportunity. Eastern Europe is now free. The Baltic States are free. The Soviet Union is collapsing into loosely associated republics with newfound rights and opportunities for their citizens.

But Fidel Castro stubbornly clings to his repressive Communist ideology. Cubans are no closer to true freedom today than they were in 1960, and Mr. Castro, an irreversible Marxist, intends to keep it that way.

Today, as we watch the drastic new steps the Kremlin is taking, we have begun serious debate on whether to grant direct financial assistance to the Soviet Union in the form of direct loans and grants of American tax dollars. The merits of that assistance is an issue very separate from the one I am raising here today. I am here to remind my colleagues that such direct financial assistance to the Soviet Union at this time would indirectly assist the Communist government of Fidel Castro. This is

clearly contrary to the foreign policy interests of the United States. Even if United States tax dollars themselves do not reach Havana, they could very well free up other Soviet funds to help prop up Mr. Castro.

My bill would not affect granting most-favored nation status to the Soviet Union. It would not interfere with agricultural credits. It would not hinder closer United States-Russian ties or ties with any new republics. Again, I repeat it just states that we should not be sending American tax dollars to a nation that still sends billions of dollars to prop up Castro's Communist dictatorship in Cuba.

I welcome President Gorbachev's announcement that he will cut back Soviet troops in Cuba. This resolution provides incentive for him to continue these cutbacks. If the Soviet Union is serious about democratization, and if they want assistance from the United States, then their foreign policy and foreign aid must reflect this commitment. Subsidies to Fidel Castro must stop. I urge my colleagues to support and cosponsor this important resolution.

INTRODUCTION OF THE BETTER EDUCATION FOR ALL STUDENTS ACT OF 1991

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. GOODLING. Mr. Speaker, I am pleased to join my colleagues on the Committee on Education and Labor, Chairman FORD and Mr. KILDEE, in introducing this legislation today. This legislation is truly revolutionary in the way it builds upon local, State, and national efforts to dramatically improve schools and could intensify and accelerate that process. It creates a structure within which the President's education initiatives, America 2000, can take hold in every Congressional district across the country.

We have all read that despite the good-faith efforts of the past 10 years to improve our schools, student achievement has not improved. At the same time, we have become even more aware of the importance of education for our Nation's continued prosperity. Recent reports by the National Governors Association, the Business Roundtable, and others who have studied the problem, all come to

a similar conclusion. Recent school improvement efforts have failed mainly because they have been piecemeal and have not sought to change the system itself within which schools and teachers must operate.

Many of our States have already heeded this message and have initiated statewide systemic reform. For example, my own State of Pennsylvania has joined with Secretary Alexander and announced a Pennsylvania 2000 effort. They will be looking at the goals, curriculum, assessments, regulations, and other factors that govern local school operations—with an eye toward meeting the national education goals.

The legislation we are introducing today encourages this approach in States not already undertaking it and facilitates reform in States that have started down the road. It does this through several principles that the President and Secretary have been advocating around the country over the past few weeks. They are: States and local communities must bring political, education, business, and other leaders together to work on education reform; these leaders must go through a logical process of analysis and decisionmaking on what are the goals for the education system, how can those goals be met, and how can progress be measured, and; the hard work of actually planning and operating schools in whatever fashion is necessary to allow every student to reach the national education goals.

As you can see, this legislation contains requirements for some cooperation, some process, and some action. It will take all three of these and lots of hard work to really bring our schools into line with our expectations.

I hope that this bill can serve as a bipartisan vehicle for providing States and local schools with additional resources to make the dramatic changes necessary to achieve the national education goals. I look forward to working with many Members of the House as we continue to refine and improve this legislation.

TIME TO SIMPLIFY CONFUSING PENSION LEGISLATION

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 1991

Mr. SCHULZE. Mr. Speaker, today I am introducing a bill to simplify complicated em-

ployee benefit definitions and regulations regarding minimum coverage rules. Companies are facing increasingly complex employee regulations, to the extent that some companies have eliminated their benefit packages. Congress should make laws which encourage employers to adopt benefit packages rather than eliminate them.

My bill will clarify the term "highly compensated" to mean employees earning in excess of \$75,000. The current definition is time-consuming for employers to compute and unnecessarily complicated. Furthermore, my legislation will make a uniform definition of compensation as wages or earned income. Under my bill, an employer may also elect to treat other deferrals as compensation. Current law defines compensation in several ways, making pension laws even more confusing.

Finally, my bill would alter the qualification requirements for pension and profit-sharing plans. My bill would allow collectively-bargained employees to be included for the purposes of meeting minimum coverage rules under section 410(b) of the Internal Revenue Code. Highly unionized companies are being discriminated against because they cannot include the benefits they are providing for union employees when proving that they do not discriminate in favor of highly compensated employees.

In essence, the same laws designed to prevent pension benefit discrimination are themselves discriminating against highly unionized companies. In order to remedy this unfairness, employers must be given the election to include collectively-bargained employees in minimum coverage testing. The election would be irrevocable and only allowed when benefits provided to union employees are equal to non-collectively bargained plans under section 401(a)(4) nondiscrimination regulations.

It is time to simplify complicated and confusing pension legislation. Mr. Chairman, in light of future pension hearings soon to take place, I hope that my recommendations will be taken into account and adopted for everyone's benefit. There is no time like the present.